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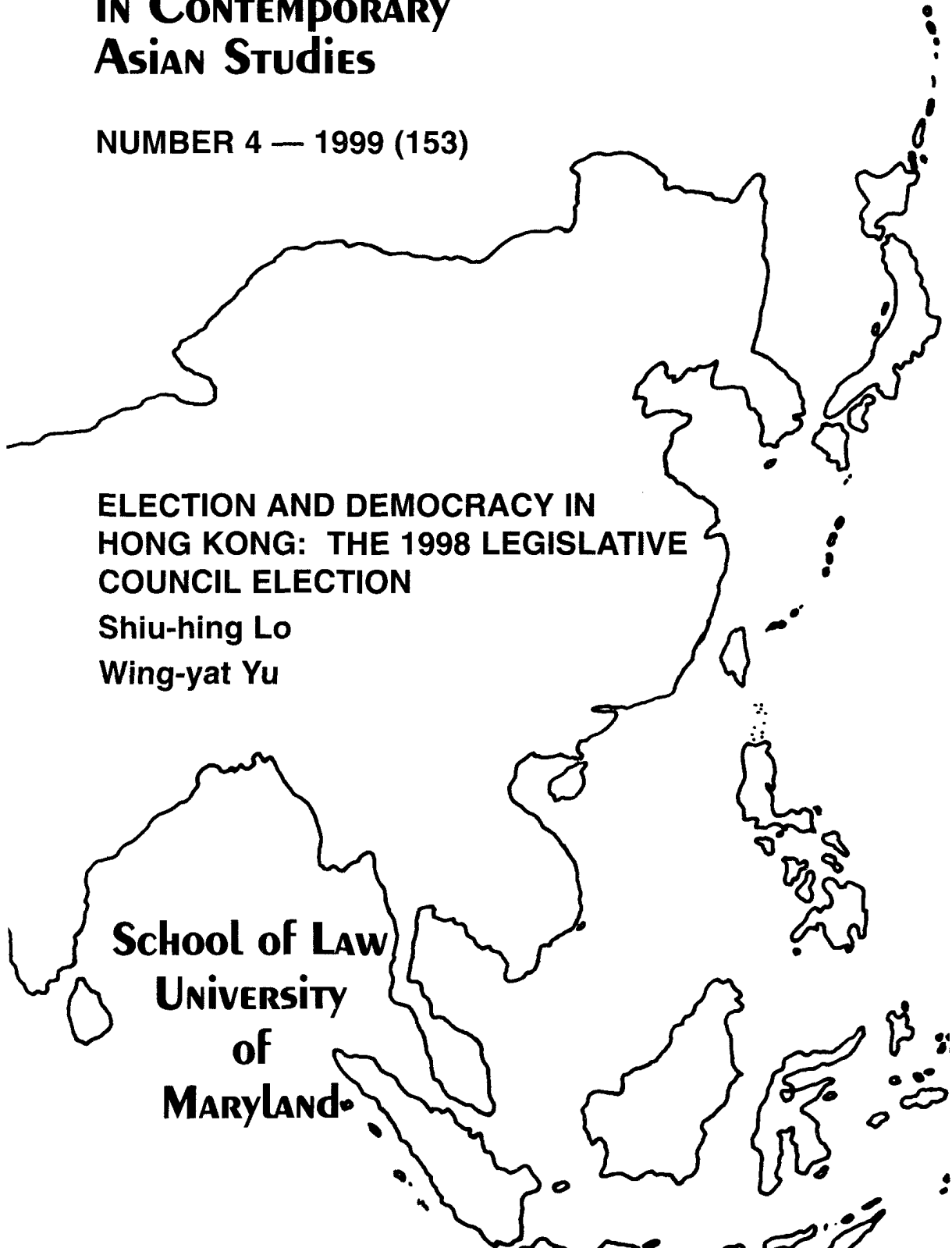
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**ELECTION AND DEMOCRACY IN
HONG KONG: THE 1998 LEGISLATIVE
COUNCIL ELECTION**

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of
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Shiu-hing Lo and Wing-yat Yu***

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PREFACE

In the summer of 1998, we were determined to devote most of our time to writing this book. As observers of Hong Kong politics for twelve years, we sincerely hope that our work can contribute to a better understanding of the election and democratizing development in Hong Kong. We also hope that our collective product will stimulate academics, journalists, students and intellectuals to conduct further research on Hong Kong's elections and democratization in the future. We must thank the Review Board and the Editorial Board members of the Occasional Papers Reprints/Series in Contemporary Asian Studies at the University of Maryland School of Law for their comments and suggestions on our draft monograph.

Indeed, any errors are our responsibility. We dedicate this book to all those people who are concerned about elections and democratic development in Hong Kong.

I. INTRODUCTION

On May 24, 1998, the first Legislative Council (LegCo) election was held in the Hong Kong Special Administrative Region (HKSAR), which had been officially established on July 1, 1997. This election symbolized the implementation of the concept of "Hong Kong people ruling Hong Kong," a notion put forward by the People's Republic of China (PRC) to reunify Hong Kong. For the PRC, the first election of the HKSAR's LegCo could demonstrate to the Hong Kong people and the world that Beijing was sincere in giving "a high degree of autonomy" to the territory—a promise stipulated in both the Sino-British Joint Declaration and

the HKSAR's mini-constitution, the Basic Law. For the foreign governments and media, the first LegCo election in the HKSAR signalled a continuation of the rule of law and the preservation of civil liberties. For the Hong Kong people, this election translated their ideal of governing Hong Kong into a reality. Self-government, instead of self-determination, which had been ruled out during the Sino-British negotiation on Hong Kong's future, was the hallmark of the first LegCo election in the HKSAR.

As a matter of fact, the first LegCo election had a number of political implications for the HKSAR. First and foremost, the unprecedented turnout rate of 53.29 percent proves that Hong Kong people are no longer politically apathetic. For many political observers in Hong Kong, political apathy was the characteristic of Hong Kong voters. Some commentators had predicted a "low" voter turnout ranging from 30 percent to 40 percent—predictions that turned out to be inaccurate on May 24, 1998. The discrepancy between the actual voter turnout and the earlier predictions corroborates that the Hong Kong people are no longer "attentive spectators,"¹ but knowledgeable and active participants in politics.

Second, this election produced a newly elected legislature replacing the Provisional Legislative Council (PLC), which had been established by the PRC in January 1997 to compete with the former Legislative Council elected in September 1995. To the PRC, the former LegCo elected in Hong Kong under Governor Christopher Patten's political reform proposals violated the Basic Law, the Joint Declaration and the previous Sino-British agreements on Hong Kong. Members of the PLC were elected from a 600-member Election Committee, which also selected the first Chief Executive of the HKSAR in December 1996. The PLC operated from January 1997 to May 1998. It was responsible for filling the legislative vacuum produced by the Sino-British dispute over Hong Kong's political reform. Since China and Britain failed to reach an agreement on a "through train" or a smooth transfer of Legislative Council members who had been elected in 1995,² the PLC served the function of minimizing the political damage to Hong Kong, at least from the

1. Lau Siu-kai and Kuan Hsin-chi, "The Attentive Spectators: Political participation of the Hong Kong Chinese," *Journal of Northeast Asian Studies* (Spring 1995), pp. 3-24.

2. James T. H. Tang, "The Special Administrative Region Government and the Changing Political Order in Hong Kong," in Norman Miners, *The Government and Politics of Hong Kong*, Hong Kong: Oxford University Press, 1998, pp. 246-270. Also see So Wai Chor, "Britain Confronts China: The Reform Proposals of Chris Patten," in

PRC's perspective. However, critics of the PLC contended that it lacked any popular mandate from the people of Hong Kong, and that it was not elected but appointed by a committee dominated by pro-Beijing elite. Nevertheless, the first LegCo election in the HKSAR produced a more legitimate legislature in which 20 of the 60 members were directly elected by citizens in geographical constituencies. In short, while the PLC represented a legislature with weak legitimacy and limited citizen participation, the first LegCo election in the HKSAR produced a far more legitimate legislature and encouraged more participation from the masses.

Third, the first LegCo election in the HKSAR signalled the return of the pro-democracy faction to the legislature. The pro-democracy faction, or democrats, boycotted the election of members of the PLC. Therefore, none of the democrats were elected to the provisional legislature, whose checks and balances on the HKSAR government was much weaker than the LegCo, which operated from October 1995 to June 1997. The active participation of the pro-democracy elite in the 1998 LegCo election meant that they were determined to push for further democratization in the HKSAR.

Fourth, this election indicated the extent to which the central government in Beijing has allowed the HKSAR to enjoy its political autonomy. As mentioned earlier, Beijing was keen to see the first HKSAR election hotly contested and actively participated, for it could demonstrate to the world that the "one country, two systems" was feasible. However, while there was no concrete evidence to show that Beijing interfered with the way in which the election was contested,³ it did have preference over the choice of electoral system. The fact that the proportional representation system was endorsed by the Preparatory Committee—a body set up by China in 1996 to tackle transitional affairs in Hong Kong—and then accepted by the HKSAR government showed that Beijing did have its bot-

Danny S. L. Paa, ed., *Reunification with China: Hong Kong Academics Speak*, Canada: Asian Research Service, 1998, pp. 5-22.

3. The New China News Agency (NCNA) in Hong Kong played the role of a mediator, making compromise amongst some candidates so as to form a united front against the pro-democracy candidates. For the role of the NCNA in Hong Kong, see John P. Burns, "The Role of the New China News Agency and China's Policy Toward Hong Kong," in John P. Burns, Victor C. Falkenheim, and David M. Lampton, eds., *Hong Kong and China in Transition* Toronto: Joint Centre for Asia Pacific Studies, 1994, pp. 17-60. Also see Li Gucheng, "The Functions and Role of Hong Kong's New China News Agency," *Asian Studies* (published by Chu Hai College in Hong Kong), No. 18, 10 June 1996, pp. 18-112.

tom line on the way in which the direct election system should be changed. The most important concern of Beijing was that a legislature dominated by the pro-democracy elite would upset the balance of power and constitute a threat to the HKSAR government. At worst, a legislature dominated by the democrats would pass bills unfavourable to the HKSAR government and detrimental to the interests of the central government in Beijing. While the central government in Beijing set the boundaries in which the electoral system was shaped, it gave a free hand to the HKSAR to handle the details of the electoral process, such as the decision on how to draw the electoral boundaries, the determination of campaign expenditure, and the content of the electoral law.

The objectives of this monograph are to review the evolution of the electoral system, to analyze the results of the 1998 LegCo election, and to assess the election's implications for party development as well as democratization in the HKSAR. Chapter Two will analyze the overall results of the 1998 LegCo election, whereas Chapter Three will focus on the competition in direct election. Chapter Four will analyze the electoral competition in functional constituencies and the Election Committee. Chapter Five will explore the relationships between election, party development and democratization.

II. FEATURES OF THE 1998 LEGISLATIVE COUNCIL ELECTION

Before 1985, Hong Kong's LegCo was composed of all appointed members. This situation began to change in 1985 when 12 seats were elected from functional constituencies and 12 other seats were chosen from the electoral college. In 1985, functional constituencies were composed of commercial, industrial, financial, labour, social, medical, legal, teaching, engineering and associated professions. The 12 members chosen from the electoral college included: one from the Urban Council, one from the Regional Council, seven from District Boards in the urban area, and three from District Boards in the New Territories.⁴ The number of seats elected from functional constituencies increased to 14 in 1988 (see Table 2.1), 21 in 1991, and 30 in 1995. In the 1998 LegCo election, there were 30 seats elected from functional constituencies, which according to the Basic Law will be reviewed in 2007.

4. *White Paper: The Further Development of Representative Government in Hong Kong*, Hong Kong: Government Printer, November 1984, Appendix A, p. 16.

TABLE 2.1 THE COMPOSITION OF THE LEGCO, 1984-2003

	Officials*	Appointed members	Elected by			Total
			FC	EC	GC	
1984	17	30	—	—	—	47
1985	11	22	12	12	—	57
1988	11	20	14	12	—	57
1991	4	18**	21	—	18	60
1995	—	—	30	10	20	60
2000	—	—	30	6	24	60
2004	—	—	30	—	30	60

Note: FC = Functional constituencies;

EC = Electoral college/Electoral committee;

GC = Geographical constituencies.

* Including the President.

** Including the Deputy President who is appointed by the Governor to officiate when he is absent.

Source: Norman Miners, *The Government and Politics of Hong Kong*, 5th ed., Hong Kong: Oxford University Press, 1995, pp. 16.

Before 1991, there was no directly elected seat in the LegCo. Eighteen directly elected seats were introduced to the 60-member LegCo in 1991. The number of directly elected seats was increased to 20 in 1995 (Table 2.1) and maintained at 20 in 1998. According to the Basic Law, the number of directly elected seats will be increased to 24 in the second LegCo of the Hong Kong Special Administrative Region (HKSAR) and to 30 in the third LegCo.

1. The First HKSAR LegCo Election

The first HKSAR LegCo election in 1998 marked the return of political opposition to the new legislature. Of the 20 directly elected seats in the 60-member LegCo, the democrats won 14 seats, including: 9 members from the Democratic Party (DP) led by Martin Lee; Christine Loh of the Citizens Party (CP); 3 members of the Frontier led by Emily Lau Wai-hing; and Leung Yiu-chung of the Neighbourhood Workers Service Centre (NWSC). The pro-Beijing Democratic Alliance for the Betterment of Hong Kong (DAB) obtained five of the 20 directly elected seats—an unprecedented phenomenon of a pro-Beijing party which had grasped only two of the 20 directly elected seats in the 1995 LegCo election.

Although the democrats succeeded in capturing 14 of the 20 directly elected seats in the 1998 LegCo election, overall they still constitute a minority in the legislature. The DP merely got 4 of the

30 seats elected by functional constituencies. None of the democrats managed to be elected in the 10 seats returned by an 800-member Election Committee. Functional constituencies guarantee the political representation of business interest, notably the Liberal Party led by Allen Lee who was defeated in direct election. The Election Committee, which will persist until 2003 according to the Basic Law, will return either as pro-Beijing or independents legislators. This Chapter will provide an overview of the results and features of the 1998 LegCo election.

2. Direct Election Results

There were a number of characteristics in the 1998 LegCo election. First, the DP was actually checked by the pro-China DAB in direct election. In Table 2.2, the DP obtained 12 out of 20 directly elected seats under the single-vote, single-member constituency in the 1995 LegCo election. But it acquired only 9 seats under the proportional representation system used in the recent direct election. The single-member constituency adopted in the 1995 LegCo election, or the first-past-the-post system, tended to favour larger political parties. In 1995, when political parties in Hong Kong under British rule were still immature and in embryonic form, it was the DP, which benefited from the direct election system. When the PR system was adopted by the ExCo, one member of ExCo - Nellie Fong Wong Kut-man - complained that the system would be favourable to the democrats. This perception turned out to be inaccurate, as the election results in 1998 can be compared with that in 1995; in 1998, DP got three seats less than the number of seats it got in 1995. The PR system is clearly beneficial to the DAB, which in 1998 gained three more directly elected seats than its gain in the 1995 LegCo election.

Second, the DP's apparent decrease of influence in the new legislature has already been compensated by the rise of a new pro-democracy party, namely the Frontier. Neither the Frontier nor the CP was formed in the 1995 LegCo election. Although the Frontier candidates (Emily Lau and Cyd Ho Sau-lan) competed with DP candidates (Andrew Cheng Kar-fu and Wong Shing-chi) in the New Territories East constituency in direct election, Lau, Ho and Cheng were eventually elected. Emily Lau's pro-democracy stance and critical attitude toward the government as well as the PRC led not only to her victory, but also that of her partner Cyd Ho, who was a political unknown before the 1998 LegCo election. Although Cyd Ho had worked diligently for Lau in the district for a number of

TABLE 2.2 RESULTS OF THE 1995 AND 1998 LEGISLATIVE COUNCIL (LEGCO) ELECTIONS

Parties	1998 LegCo				1995 LegCo			
	DE	FC	EC	Total	DE	FC	EC	Total
DP	9	4	0	13	12	5	2	19
LP	0	9	1	10	1	9	0	10
DAB	5	2	2	9	2	2	2	6
HKPA	0	2	3	5	0	0	3	3
Frontier	4*	0	0	4	1	3	0	4
CP	1	0	0	1	1	0	0	1
FTU	0	1	0	1	0	1	0	1
CTU	0	1	0	0	0	1	0	1
ADPL	0	0	0	0	2	1	1	4
123 Alliance	0	0	0	0	0	0	1	1
Independents	1	11	4	16	1	8	1	10

Note:

* The Frontier was not formed in the 1995 election, but its members were also LegCo members elected to the 1995 LegCo. The same case applies to the Citizens Party (CP) whose leader Christine Loh was a directly elected LegCo member in 1995.

- (1) FC = Functional constituencies
 EC = Electoral college/Electoral committee
 GC = Geographical constituencies
 HKPA = Hong Kong Progressive Alliance (pro-China)
 FTU = Federation of Trade Unions (pro-China)
 CTU = Confederation of Trade Unions (independent union)
 ADPL = Association for Democracy and People's Livelihood
 (opposed the establishment of the provisional legislature
 but later participated in the election of the members of this
 provisional body)
 123 Alliance = pro-Taiwan One Two Three Alliance led by Yum Sin-ling
 (a LegCo member elected in 1995)
- (2) Some independents were pro-China in political outlook, and a minority among them was liberal-minded.

Source: *Ming Pao*, 26 May 1998, p. 1.

years, her popularity was no match for Allen Lee. Yet, Lau and Ho did attract the support of many women voters, who tended to identify women candidates rather than political parties. Although a lot of signboards posted by the Frontier were defaced in the New Territories, especially in Tai Po area, Lau's image as a political star was clearly shown in the 1998 LegCo election.

Lee Cheuk-yan of the Frontier failed to reach a compromise with his partner Leung Yiu-chung, who eventually decided to run in the same New Territories West constituency not under the Frontier's banner but under the name of Neighbourhood Workers Service Centre. However, both Leung and Lee got elected. Chapter 4

will discuss in detail why Leung and Lee were both elected, although they could not reach a consensus on their ranking in the Frontier's list of candidates in the New Territories West.

In short, the Frontier has already become a *de facto* political party, albeit Emily Lau maintains that it is not. The Frontier can be viewed as an embryonic political party with some charismatic politicians. Emily Lau obviously could attract a lot of support from voters and this helped her partner, Cyd Ho, to be elected. Similarly, Lee Cheuk-yan's outspoken attitude toward labour affairs helped him to win the election.

Third, the LP remains a legislative faction with relatively weak support from ordinary citizens at the grassroots level. Allen Lee and his party members managed to get 3.4 percent of the votes in the 1998 direct election (see Table 2.3).⁵ Although the LP performed much better than the 1995 LegCo election in terms of the number and percentage of total votes in direct election, none of its members got a seat in the 1998 election. This was due to the high degree of competitiveness in each of the five geographical constituencies (Hong Kong Island, Kowloon East, Kowloon West, New Territories East and New Territories West). Allen Lee's defeat was attributable partly to the fact that LP members who in 1995 withdrew from the party in Shatin turned to support Lee's opponents, especially Lau Kong-wah of the DAB.⁶ Without district politicians who could garner sufficient votes for him, and affected by health problem during his 1998 election campaign, Lee's defeat was understandable. Yet, since Allen Lee is the founder and leader of the LP, his failure to be re-elected was a blow to the business party.

Fourth, the popular support of the DAB in the 1998 LegCo election was more or less the same of that in the 1995 one. The DAB's popular support was 25.3 percent of the total votes in 1995 and 25.2 in 1998. However, while the overwhelming majority of district leaders in the New Territories supported the DAB in the 1995 LegCo election, some of them turned to compete with DAB candidates in the 1998 LegCo election. For example, leaders of the rural body Heung Yee Kuk competed with Tam Yiu-chung of the DAB in 1998. This does not mean that the DAB's support was eroded. Instead, by cooping some former independent candidates such as Lau

5. Also see *South China Morning Post*, 26 May 1998, p. 1.

6. Discussion with a campaign worker on 24 May 1998. She had helped the LP in the 1995 LegCo election but turned to support the DAB in 1998.

TABLE 2.3 VOTES OBTAINED BY MAJOR POLITICAL PARTIES AND GROUPS IN THE 1995 AND 1998 LEGCO'S DIRECT ELECTIONS

	Votes in 1998	(%)	Votes in 1995	(%)
DP	634,635	42.9	385,428	41.9
DAB	373,428	25.2	230,404	25.3
Frontier	148,507	10.0	Not formed at that time	
ADPL	59,034	4.0	87,072	9.5
LP	50,335	3.4	15,126	1.6

Note: The DAB's votes in 1995 are counted here by including the votes for Elsie Tu, Tang Siu-tong, Peggy Lam and Lau Kong-wah—candidates who were supported by pro-China groups.

Source: *Ming Pao*, 26 May 1998, p. 1. Also see Louie Kin-shuen and Shum Kwok-cheung, eds., *A Collection of Materials on Hong Kong Elections 1995* (in Chinese), Hong Kong: Institute of Hong Kong and Asia-Pacific, The Chinese University of Hong Kong, 1996, p. 117.

Kong-wah, who joined the DAB in 1997, the party secured solid support at the district level.

One continuity of the DAB's performance in direct election was its strong ability to mobilize grassroots support. On the election day, the DAB mobilized thousands of staff members from pro-China organizations to campaign for its candidates. Campaign workers penetrated deeply into each district and grassroots organizations, such as the Mutual Aid Committees (MACs) in public housing estates and the Owners' Corporations in private buildings.⁷ In one case, the DAB supporters asked members of a MAC to sign their names in support of Tam Yiu-chung, who was defeated in the 1995 LegCo election and who ran in the New Territories West in 1998. One MAC member said that although he signed the document in support of Tam, he eventually cast his ballot for Leung Yiu-chung.⁸ In another case, elderly women in Tokwawan were mobilized to vote for Tsang Yok-shing even though a minority of them did not really know who was the candidate they supported.⁹ Near

7. For the mobilization of staff members of pro-China organizations in the HK-SAR, see *Apple Daily*, 21 May 1998, p. A17 and 24 May 1998, p. A1. One DAB supporter told me that the workers who helped the party got about HK\$55 per hour. On 24 May, I asked other workers helping the business-oriented LP and they told me that they were paid HK\$30 per hour.

8. Discussion with a MAC member on 25 May 1998.

9. Communication with a lady who was mobilized to support Tsang on 24 May 1998. She, however, was not interested in politics and did not know for whom she voted. She was asked by a FTU worker to vote for number 5 on the ballot, namely Tsang Yok-shing.

some polling stations, the DAB set up a booth, which required campaign workers to sign up their names - a phenomenon implying that, the party mobilized workers who probably received some fringe benefits after the election. When public opinion polls showed that Tsang's popularity lagged behind Frederick Fung Kin-kee of the ADPL, the DAB mobilized other candidates to help him secure votes in Kowloon West. For example, Chan Yuen-han, who was confident that she would win a seat in Kowloon East, went to campaign for Tsang on May 23, going to public housing estates in Homantin to appeal for voters' support.¹⁰ The mobilization ability of the DAB not only helped Tsang to defeat Frederick Fung of the ADPL,¹¹ but also ensured that there was one DAB in each of the five geographical constituencies elected to the legislature.

Fifth, the fact that none of the ADPL members got elected in the 1998 LegCo election proved the PR system's unfavourable impact on Fung's party. The ADPL was traditionally a district-based party in Shumshuipo. With the establishment of the provisional legislature in early 1997, the ADPL was plagued by internal dispute. Some ADPL members who opposed the provisional legislature were unhappy with Fung's decision to run for its seats. These ADPL members who regarded Fung as an opportunist eventually withdrew from the party and joined the DP. As a result, the ADPL's political base in Shumshuipo was severely undermined.

Compounding the internal bickering and dissension was the sudden enlargement of the size of the geographical constituency. When Fung was elected as LegCo member in 1995, his constituency was much smaller than that in the 1998 LegCo election. Last but not least, the DAB's strong mobilization ability meant that Fung's base of support was immediately endangered. As Fung later implied, "the competition depends largely on fame and resources, but we even had difficulty raising funds."¹² Although public opinion polls consistently showed that Fung was ahead of Tsang, the accuracy of opinion polls was undermined by the fact that those DAB supporters tended to shy away from answering questions from pollsters. Tsang's victory boosted the DAB's image and confidence because he had been defeated in the 1995 LegCo election by another ADPL member (Bruce Liu Shing-lee). On the other hand, Fung's

10. *Wen Hui Pao*, 25 May 1998, p. A3.

11. Before the election day, Tsang himself had campaigned very hard for months in Kowloon West. For his intensive activities, see "The Newsletter of Tsang Yok-shing's [Provisional Legislative] Councillor Office," February 1998 and April 1998.

12. *Hong Kong Standard*, 26 May 1998, p. 1.

defeat showed that electoral politics in the HKSAR became more polarized than before, reducing the opportunities for moderates like ADPL members to win the election.

Sixth, one criticism levelled by the mass media on political parties and candidates was that they failed to discuss issues that were the concerns of voters - an accusation that was not valid. A careful study of the campaign leaflets and pamphlets produced by candidates and political parties showed that they did discuss livelihood issues, such as job creation, housing issues, interest rates and social welfare.¹³ The crux of the problem was that, with so many parties and candidates running in different and diverse geographical constituencies, there was no unified stance even amongst members of political parties. The LP candidate, Ringo Chiang Sai-cheong, for example, produced a campaign pamphlet highlighting various district issues—a design different from his party member Ada Wong Ying-kay who ran in the geographical constituency in the Hong Kong Island. Wong's campaign pamphlet tended to emphasize education and employment issues. Most democrats, especially the Frontier's candidates, appealed to voters by emphasizing that they had opposed the provisional legislature. Still, the democrats showed their diversity in dealing with livelihood issues. Most of the democrats discussed the importance of livelihood issues in their leaflets, but their solutions tended to be ambiguous. Perhaps it was the lack of concrete solutions, rather than the absence of policy and district issues, that marked the campaign style of candidates and political parties in the 1998 LegCo election.

3. The High Voter Turnout in the Election

The most surprising feature of the 1998 LegCo election was the unprecedented 53 percent of the registered voters who cast their ballots. The high voter turnout had been totally unexpected by political commentators and pollsters before the election. Some political commentators and experts had harped on the same theme, saying that Hongkongers were politically apathetic and criticizing the list system as too complicated to make them boycott the election. Political apathy was the most frequently used but unfortunately prejudiced term employed by many Hong Kong observers. They failed to appreciate the fact that the Hong Kong people's relative passiveness in the previous elections was a product of colonial

13. Observations from our collection of various campaign leaflets prepared by candidates and political parties in the 1998 LegCo election.

education and socialization. That some Hong Kong people exhibited behavioral apathy did not mean that they would also refrain from exercising their political right as voters after July 1, 1997. In fact, the stereotyped image of Hong Kong people as politically apathetic was untrue. Anyone who switched on the radio programme before 24 May 1998 could have easily observed that many Hongkongers were highly aware of politics. They were also able to form their views on livelihood issues, which did have political implications. The high voter turnout proved that the argument about political apathy was totally unfounded and outdated.¹⁴

The 53 percent turnout could be attributable to a number of factors. First, the survey of the Hong Kong Transition Project in April 1998 showed that one-third of the respondents said that they were informed of the election through the media. If so, the mass media played a very crucial role in educating the people about the election and reminding them to vote on May 24. In the last week of the campaign, every Chinese and English newspaper in the HK-SAR had extensive coverage of the election, ranging from the electoral method to the candidates and parties in different geographical constituencies. Almost all Chinese newspapers appealed to voters to vote on the election day.¹⁵

Second, political mobilization of the voters by different parties and candidates was probably the most significant factor contributing to the high voter turnout. Each household in the public housing estate underwent several rounds of election campaigns conducted by parties and candidates. Some parties and candidates, like the DAB and DP, even called voters in public housing estates to remind them to vote. The home visits paid by party candidates became a mobilizing agent in the election. Private housing, however, appeared to encounter less campaigns than public housing estates, for the former Owners Corporations might not allow campaigns to be conducted. Still, citizens in both private and public housing were under the influence of propaganda launched by the government that they should put a tick on their ballots on the election day—a message clear and simple enough for ordinary people to understand.

14. Also see Editorial, "Big turnout shows Hong Kong cares," *Hong Kong Standard*, 25 May 1998, p. 10.

15. See, for example, Editorial (in the usually depoliticized content of) *Oriental Daily*, 23 May 1998, p. A19. Also see Editorial, "No matter whether it will be a rainy day, Sunday will be the voting day," *Apple Daily* (which tended to support the democrats), 23 May 1998, p. A5.

Third, the conventional wisdom that bad weather would dampen the enthusiasm to vote turned out to be untrue. The heavy rain on the morning of May 24 appeared to stimulate many party supporters to cast their ballots earlier. In the afternoon when the rain stopped, more citizens came out of their homes and decided to go to the polls. At night, political parties and candidates "washed the floors," phoned the households, and reminded citizens to cast their ballots. Clearly, citizens were heavily mobilized to vote. Arguably, the rain could stimulate the determination and desire of voters to vote. According to the government gazette on voter turnout, the number of people who went to the polls appeared to increase considerably in the evening, particularly after 4:30 p.m. In the HKSAR where space is relatively limited, the heavy rain could probably trigger more voters to cast their ballots, especially when they stayed home and were under the constant mobilization of parties, candidates and the mass media.

Fourth, one cannot exclude the likelihood that some voters might wish to obtain the souvenir cards given by the government to the voters, and that some of them flocked to the Giordano stores which offered a 40 percent discount to voters who had souvenir cards and who wanted to buy polo shirts.¹⁶ It is difficult to assess the extent of the impact of this outside stimulus in mobilizing people to vote. However, a survey conducted by *Apple Daily* after the election showed that 65 percent of the voters who cast their ballots said that they had done so because of the need to exercise their civic duty, and that only 3 percent said they had voted due to the desire of obtaining the souvenir cards.¹⁷ If so, the civic consciousness of the Hong Kong people improved considerably.

Fifth, half of the voters were dissatisfied with the HKSAR government. As seen from Table 2.4, 57.4 percent of the respondents who voted were either very or somewhat dissatisfied with the HKSAR government. This was understandable given the government's sluggish reaction to a number of crises, including the bird flu saga which cost the death of six people, the red tide which killed hundreds of thousand of fishes, and the Asian economic crisis. It seems that a lot of Hong Kong people were determined to express their dissatisfaction with the government in their voting behaviour.

16. *South China Morning Post*, 25 May 1998, p. 1.

17. *Apple Daily*, 26 May 1998, p. A4.

TABLE 2.4 VOTERS' ATTITUDE TOWARD THE GOVERNMENT

Voters' attitude toward the HKSAR government	No. of Respondents who did vote (%)
Very dissatisfied	74 (17.7)
Somewhat dissatisfied	166 (39.7)
Neutral	137 (32.8)
Somewhat satisfied	15 (3.6)
Very satisfied	26 (6.2)
Total	418 (100.0)

Note: This post-election survey was conducted from June 27 to June 30, 1998. The sample size was 625 people and the number of respondents saying that they did vote on 23 May 1998 was 418.

4. The Role of Mass Media and Public Opinion Polls

The mass media played a crucial role of informing the voters about the 1998 LegCo election. Election forums held by the Radio Television Hong Kong (RTHK) were broadcast by Cable Television (CTV), Asia Television (ATV), and the Television Broadcasting Company Corporation (TVB).

However, some candidates complained that there were too many forums held by various organizations, whereas some believed that forums did not receive sufficient publicity. Bruce Liu Shing-lee of the ADPL said:

[T]here are [too many forums]. There should only be forums with specific topics for the candidates to debate. When the ADPL has organized its own forums we have managed to attract large audiences with an attractive and creative program which included singing as well as speeches.¹⁸

In contrast to Liu, Emily Lau remarked:

I am not against having so many forums. In my constituency, New Territories East, I think we have the largest number of election forums—almost 30, including TV, radio, the government, the District Office, the universities and non governmental organizations. I try to attend almost all of them. What is needed is good publicity. What is the use of having a forum if nobody knows about it? There were seven of us at one recent forum organized by

18. Eric Cavaliero, "Election forums come under fire," *Hong Kong Standard*, 21 May 1998, p. 11.

the Hong Kong Christian Council in Shatin—the candidates and two reporters. That is what I'm complaining about—not the forums, which give us a good opportunity to meet the people.¹⁹

Although the public attendance of some forums was poor,²⁰ the forums broadcast by the television stations tended to have greater impact on the voters, who could know the issues debated by candidates running in direct elections, functional constituencies and those returned from the Election Committee. In the HKSAR, as in other Western countries, "media coverage of politics near to elections is more important than media coverage at non-election times."²¹

One interesting hallmark of the election is that the mass media portrayed the election as a horse-racing event. Numerous Chinese and English newspapers, including *Apple Daily*, *Ming Pao*, *Oriental Daily*, and *South China Morning Post* carried public opinion polls conducted by the Chinese University of Hong Kong, the University of Hong Kong and other polling organizations on the candidates who were likely to win or lose. Public opinion polls, which tended to show that Tsang Yok-shing would lose, turned out to be inaccurate. Similarly, some polls pointed to the likely defeat of Leung Yiu-chung, who in fact won the election.

Objectively speaking, there were a number of problems concerning: (1) the media's treatment of poll results; and, (2) the methodology of the polls. The mass media tended not to report the margin of error in each poll, but instead highlighted the likelihood of who would win or lose in the election. The *Apple Daily*, for example, portrayed Allen Lee as a sure loser after he was reported to be affected by health problems. Neither did *Apple Daily* nor *Ming Pao* emphasize the margin of error in all opinion polls. The way in which the mass media covered the poll results was problematic—an issue that will have to be tackled by journalists and editors in the long run.

Even worse, some newspapers carried totally biased commentaries and articles on the election. The pro-China *Wen Hui Pao*, for

19. *Ibid.*

20. Public attendance in election forums was traditionally poor, as we observed in the 1994 District Board election. Sometimes if a forum was held in public and private housing estates, this could attract more audiences because people living there tended to have greater sense of community.

21. William L. Miller, *Media and Voters: The Audience, Content, and Influence of Press and Television at the 1987 General Election*, Oxford: Clarendon Press, 1991, p. 207.

example, carried commentaries that regularly criticized the democrats like Emily Lau and the DP as having “no expertise on economic affairs,” as politicians who just put up a political show without substance.²² It also had extensive coverage of the news concerning DAB candidates, trying to demonstrate to the supporters and readers that the DAB really worked for the interest of the public.²³ While *Wen Hui Pao* carried an advertisement from the DAB on the election day to appeal to voters for support,²⁴ the *Apple Daily* editorialized and appealed to voters to support those former LegCo members who had boycotted the provisional legislature. Clearly, the *Apple Daily* was pro-democracy in its political outlook. At the same time, both the DP and DAB advertised in newspapers, especially the *Apple Daily*, to criticize each other—an unprecedented phenomenon in Hong Kong’s electoral politics.²⁵ The prominent political stance of some newspapers in the HKSAR was unprecedented and risked undermining their professional objectivity and political impartiality.

The methodology of public opinion polls appeared to be problematic, especially the prediction that Tsang Yok-shing would most likely be defeated.²⁶ First, some pollsters had great difficulties in recruiting helpers due to the examination period at all the universities. The fact that they resorted to the help of secondary school students raised a legitimate question whether these young students were adequately trained to conduct the polls. Second, given the numerous parties and candidates running in each of the five geographical constituencies, the way in which the pollsters asked the respondents about which party or candidate they supported could influence the poll results. For example, if respondents were asked to choose from a list of parties, the poll results would be quite different from that of asking respondents to choose any candidate they liked. The implementation of the list system in the 1998 LegCo

22. For example, see the commentaries in *Wen Hui Pao*, 24 May 1998, p. B2 and 23 May 1998, p. A6.

23. *Wen Hui Pao*, 21 May 1998, p. A10, carried a report on the DAB’s activities. Also see *Wen Hui Pao*, 23 May 1998, p. A10, which reported Tsang Yok-shing’s hard work in his constituency—clearly an appeal to voters for support on the election day.

24. The advertisement was accompanied by a commentary which appealed to voters to cast their ballots and to realize the principle of “Hong Kong people governing Hong Kong.” *Wen Hui Pao*, 24 May 1998, p. A2.

25. See, for example, *Apple Daily*, 24 May 1998, p. A17, which carried an advertisement from the DAB.

26. See the poll’s “prediction” in *Oriental Daily*, 25 May 1998, p. A1.

election made pollsters far more difficult to assess the voters' support of candidates and parties than ever before.

The use of only polls to keep track of the developments in an election is methodologically insufficient for researchers to comprehend the dynamics of direct election. Home visits, party campaigns and political mobilization were neglected issues in public opinion polls. All of the polls failed to explain why there were suddenly more people who expressed their willingness to vote several days before the election. Last but not least, many DAB supporters appeared to be unwilling to be interviewed by pollsters, thus hiding the genuine extent of the DAB's grassroots support in each of the five geographical constituencies. The 1998 LegCo election showed that pollsters would have to refine and improve their methodology in the future.

It is unclear whether the results of public opinion polls influenced the behaviour of voters. Critics of public opinion polls said that the results which showed the possible defeat of Tsang Yok-shing made his supporters even more determined to campaign and mobilize people to vote than ever before. Whether the poll results unfavourable to Tsang had the unintended consequence of helping him was unknown. However, one thing is clear: polling organizations, which released poll results, needed to be careful and considerate. Indeed, even if the pollsters were careful about the way in which they released the poll results, the mass media could ignore the tentative finding and portray the poll results as a certainty.

There was an election guideline concerning the release of poll results, but whether the Electoral Affairs Commission (EAC) implemented it strictly was questionable. The EAC:

... appeals to the media and organizations concerned for self-regulation, goodwill and voluntary cooperation in the conduct, publication and broadcast of exit polls so that voter behaviour will not be unduly affected.²⁷

Although the EAC had guidelines covering the release of exit poll results, it did not really monitor whether any organization made predictions on the performance of individual candidates several days before the election. The EAC guideline stated that:

[a]ny announcement of results of exit polls or predictions, particularly in relation to any individual candidate or list

27. *Electoral Affairs Commission: Guidelines on Election-related Activities in respect of the 1998 Legislative Council Elections*, Hong Kong: Government Printer, 28 February 1998, Chapter 13, section 2, pp. 287-288.

of candidate(s) of a geographical constituency ("GC" list), during the polling hours may affect voter behaviour and have an impact on election results. The EAC, therefore, appeals to the media and organizations concerned to refrain from announcing the results of exit polls or making specific remarks or predictions on the performance of individual candidate or GC list until after the close of poll.²⁸

It looks as if the EAC merely appealed to, but not legally required, media and organizations to refrain from making predictions on election results. The reality was that the mass media, organizations and pollsters seemed to be relatively free in making their predictions - a situation that may have to be re-examined by the EAC in the future.

After the 1998 LegCo election, the EAC publicly censured three DAB candidates and independent candidate Jennifer Chow for violating the guidelines in the run-up to the election on May 24. The EAC said that DAB members - Chan Yuen-han, Kwok Bit-chun and Lam Man-fai - campaigned in Hui Lai Court without the approval of the residents' association.²⁹ Chow was criticized for displaying election advertisements without permission and for using billboards that were too big and were missing serial numbers.³⁰ Chan and Chow tried to explain why they had breached the guidelines, which however did not have any impact on the election result. Nor did the censure guarantee that the candidates would definitely follow the guidelines in future elections.

III. AN ANALYSIS OF THE COMPETITION IN DIRECT ELECTION

This Chapter is going to analyze the competition in LegCo's direct election, with a focus on four aspects: (1) the question whether political parties obtained the number of seats proportional to the percentage of votes they got (proportionality); (2) the reasons why some candidates were elected or defeated; (3) the issue of intra-party and inter-party compromise; and, (4) the campaign expenditure of candidates and political parties.

28. *Ibid.*, Chapter 13, section 5, p. 289.

29. *South China Morning Post*, 28 July 1998, p. 4.

30. *Ibid.* Also see *Ming Pao*, 28 July 1998, p. A13.

1. The Question of Proportionality

The 1998 LegCo's direct election system was the outcome of the criticism that the 1995 election failed to achieve a "balanced representation" and that it tended to let a political party - DP - to capture most of the directly elected seats. A closer look at the question of proportionality in the 1995 and 1998 LegCo's direct elections shows that the PR system adopted in 1998 did achieve some degree of "balanced representation." In Table 3.1, the difference between the share of votes and that of directly elected seats decreased from 17.7 percent for the DP in 1995 to 4.8 percent in 1998. The DAB, however, narrowed the difference between the

TABLE 3.1 THE PROPORTIONALITY OF THE 1995 AND 1998 LEGCO'S DIRECT ELECTIONS

Political Parties	1995			1998		
	Share of votes (%)	Share of seats (%)	Difference between share of votes and seats (%)	Share of votes (%)	Share of seats (%)	Difference between share of votes and seats (%)
DP	42.3	60.0	17.7	40.2	45.0	4.8
DAB	25.3	10.0	15.3	23.6	25.0	1.4
LP and other pro-business groups*	5.8	5.0	0.8	3.2	0.0	3.2
ADPL	9.5	10.0	0.5	3.7	0.0	3.7
Frontier**	6.3	5.0	1.3	9.4	15.0	5.6
Citizens Party***	3.0	5.0	2.0	2.6	5.0	2.4
Independents	7.8	5.0	2.8	17.3	10.0	7.3
Index of proportionality			79.8			85.8

Note: The index of proportionality is calculated as "the sum of the differences between each party's share of seats and its share of votes, divided by two and subtracted from one hundred." The greater the number, the more proportional the result. Rose Richard, "Electoral Systems: A Question of Degree of Principle?" in Arend Lijphart and Bernard Grofman, *Choosing an Electoral System*, New York: Praeger, 1984, pp. 75. The formula is

$$I = 100 - \frac{[\sum |S_i - V_i|]}{2}$$

Where I is the index of proportionality; S_i is the "share of seats" gained by party or group i, V_i is the "share of votes" gained by party or group i.

* The votes obtained by the LP and other pro-business groups, such as the Hong Kong Progressive Alliance (HKPA) and Liberal Democratic Federation (LDF) were counted in our analysis of the 1995 LegCo election. However, since the HKPA and LDF did not participate in the 1998 LegCo election, only the votes acquired by LP candidates were counted here in the 1998 LegCo's direct election.

** The Frontier actually was not formed in 1995; nevertheless, we regarded candidates of the Ants Alliance, some of whom supported and campaigned for Emily Lau, as the "Frontier" in 1995. Indeed, the votes obtained by Emily Lau were calculated in the votes of the "Frontier" in 1995. In 1998, the Frontier's votes were those acquired by Emily Lau, Cyd Ho, and Lee Cheuk-yan.

*** The Citizens Party was also not formed in 1995. But we calculated the total votes obtained by Christine Loh in 1995 and labelled her as the "Citizens Party." In 1998, the votes obtained by Christine Loh and her party member, Lui Yat-ming, in the New Territories East were counted as that captured by the Citizens Party.

share of votes and that of seats from 15.3 percent in 1995 to 1.4 in 1998 - a drastic improvement in terms of proportionality. The party that seemed to benefit most from the PR system was the Frontier, whose difference between the share of votes and that of seats actually increased from 1995 to 1998. Moreover, independents did not really benefit from the PR system, for a lot of votes supporting them seemed to be wasted. In other words, although independent candidates got 17.3 percent of the share of total votes in the 1998 LegCo election, they merely obtained 10 percent of the share of seats. The PR system seemed to have little impact on the Citizens Party, whose difference between the share of votes and that of seats was more or less the same in 1995 and 1998. Finally, the ADPL was the loser in the 1998 LegCo election. Not only was its share of votes reduced from 1995 to 1997, but its share of seats also decreased from 10 percent to zero. In short, the PR system in 1998 was beneficial to the DAB and the Frontier, but it appeared to be unfavourable to the DP, the LP and the ADPL.

With the benefit of hindsight, the PR system does not necessarily favour the small political parties as conventional wisdom assumes. The case of the 1998 LegCo election in the HKSAR proved that relatively small political parties, especially the ADPL, did not benefit from the electoral system. Even the advocate of an electoral system with "balanced representation" - the LP - was the loser in the 1998 LegCo's direct election. Clearly, the impact of the PR system varied amongst different political parties.

2. Hong Kong Island

There were eight candidate lists running in Hong Kong Island: (1) the DP led by Martin Lee and Yeung Sum; (2) the DAB led by Gary Cheng Kai-nam; (3) the Citizens Party led by Christine Loh; (4) the LP led by Ada Wong Ying-kay and Alice Tso Shing-yuk; (5) Chong Chan-yau; (6) Jennifer Chow Kit-ping; (7) Louis Leung Wing-on; and, (8) Li Hung. The result was that Martin Lee, Yeung Sum, Gary Cheng and Christine Loh were elected. With the exception of Loh whose victory was uncertain before the election, the victory of the other three elected candidates had already been anticipated. Both the DP and DAB had considerable support from the grassroots because of their party work in various districts. Ip Kwok-him of the DAB tried to be re-elected, but the DAB could not get sufficient votes to have two candidates elected to the LegCo in 1998. At one point, Ip appeared to work very hard in order to defeat Christine Loh. Nevertheless, Loh herself got considerable

support from environmental protectionists, women and expatriates who became permanent residents in Hong Kong.

Other defeated candidates attempted to entrench their support in different districts. For example, Jennifer Chow decided to withdraw from the LP because she did not accept the LP leader Allen Lee's suggestion that she should participate in the election held by the Election Committee.³¹ With almost a decade of grassroots work in North Point, Chow was unwilling to abandon her political base. Therefore, her decision to withdraw from the LP was understandable. On the other hand, Allen Lee attempted to groom some relatively young LP members, like Ada Wong, to buttress the political base of the party in Hong Kong Island. Wong had withdrawn from the LP in 1995 due to her dissatisfaction with the party leadership. But Lee and other LP leaders persuaded Wong to re-join the LP. Lee's attempt to let Wong re-build the party's base in Hong Kong Island seemed to arouse some degree of dissatisfaction from Chow's supporters. Some of Chow's supporters also followed her decision to quit the LP.³² In any case, the PR system generated intra-party dispute over the issue of who should lead the party in a particular geographical constituency, as the case of Chow vividly showed.

As with Chow who wanted to maintain her political base, Louis Leung - a member of the Central and Western District Board - attempted to become a LegCo member. However, Leung's popularity appeared to be much weaker than that of either Chow or Wong. Therefore his chance of being elected was slim. Similarly, Li Hung was a political unknown who was an editor of a political magazine in the past. Although the majority of voters were not aware of Li's background and work, he put forward an interesting idea in an election forum that an industrial zone between the HKSAR and Shenzhen should be created in order to provide more job opportunities for the unemployed people in Hong Kong.

The most interesting candidate in the Hong Kong Island constituency was Chong Chan-yau, a blind man who worked as an Administrative Officer for the Hong Kong government in the past. During the election campaign, he answered questions skilfully from his opponents in election forums. He appeared to attract a lot of support from the disabled and citizens who advocated equal oppor-

31. *Apple Daily*, 27 February 1998, p. A19.

32. Twenty-two LP members at the party branch in Hong Kong Island wanted to withdraw from the party. But later Lee and Selina Chow persuaded some of them to stay in the party. See *Ming Pao*, 6 March 1998, p. A9.

tunities for the disabled. The number of votes he obtained trailed Christine Loh and exceeded the support for the LP and Jennifer Chow - a surprising result to many observers. Although he was defeated in direct election, the DP leader Martin Lee invited him to be the party's consultant on issues concerning equal opportunities. Chong declined to do so, but his electoral participation marked the first time in which a disabled person attempted to enter the LegCo. His participation also reflected the fact that none of the existing political parties could really speak for the interest of the disabled.

In terms of campaign expenditure, Jennifer Chow spent most amongst all of the candidates (Table 3.2). The EAC set the following limits on campaign expenditure: (1) HK\$1,500,000 for a list in a 3-seat geographical constituency; (2) HK\$2,000,000 for a list in a 4-seat geographical constituency; and, (3) HK\$2,500,000 for a list in a

TABLE 3.2 ELECTORAL RESULTS IN HONG KONG ISLAND IN THE 1998 LEGCO'S DIRECT ELECTION

Political Party Candidate	No. of seats gained	No. of seats gained	Campaign Expenditures (in HK\$)
DP Martin Lee Chu-ming* Yeung Sum* Yuen Bun-keung Chan Kwok-leung	143,843	2	1,284,545
DAB Gary Cheng Kai-nam* Ip Kwok-him Suen Kai-cheong Chung Shu-kun	90,182	1	1,207,118
Citizens Party Christine Loh Kung-wai*	39,251	1	904,274
LP Ada Wong Ying-kay Alice Tso Shing-yuk Alice Lam Chui-lin	7,485	0	1,494,651
Chong Chan-yau	12,377	0	851,327
Jennifer Chow Kit-ping	10,950	0	1,619,003
Louis Leung Wing-on	2,588	0	1,166,985
Li Hung	935	0	579,864

Note: * Candidates who were elected in the election.

Source: Data from Electoral Affairs Department, 1998. Also see *Ming Pao*, 7 July 1998, p. A11.

5-seat geographical constituency.³³ The LP spent as much money as Chow, but they were all defeated. The DAB spent HK\$1.2 million, an amount more or less the same as the DP. The amount of campaign expenditure of Christine Loh and Chong was more or less the same. The overall implication was that a higher amount of campaign expenditure could not guarantee electoral victory.

3. Kowloon East

In Kowloon East, there were three candidate lists: (1) the DAB led by Chan Yuen-han; (2) the DP led by Szeto Wah and Li Wah-ming; and, (3) an independent candidate named Harriet Fok Pui-yee (Table 3.3). The victory of Chan, Szeto and Li had been widely expected, for Kowloon East was traditionally an area politically divided into two bases of support, namely the DAB and DP. During the 1960s and 1970s, Kowloon East (particularly Kwun Tong district) was the stronghold of pro-Beijing forces such as Kai Fong associations and social groups. With the emergence of pro-democracy forces in the 1980s, the pro-China influence in Kowloon East was eroded. The defeat of Elsie Tu by Szeto Wah of the DP in the 1995 LegCo and Urban Council elections proved that Kowloon East turned to become a stronghold of the pro-democracy forces. Elsie

TABLE 3.3 ELECTORAL RESULTS IN KOWLOON EAST IN THE 1998 LEGCO'S DIRECT ELECTION

Political Party Candidate	No. of votes gained	No. of seats gained	Campaign Expenditures (in HK\$)
DP Szeto Wah* Fred Li Wah-ming* Mak Hoi-wah	145,986	2	1,105,420
DAB Chan Yuen-han* Kwok Bit-chun Lam Man-fai	109,296	1	792,582
Harriet Fok Pui-yee	6,339	0	170,820

Note: * Candidates who were elected in the election.

Source: Same as Table 3.2

33. See *Electoral Affairs Commission: Guidelines on Election-related Activities in respect of the 1998 Legislative Council Elections*, p. 294.

Tu was supported by the pro-Beijing groups and her defeat in 1995 prompted her to abandon participation in the 1998 LegCo election.

Elsie Tu was replaced by Chan Yuen-han, an executive member of the pro-China Federation of Trade Unions (FTU). Chan was also defeated by Lau Chin-shek of the United Democrats of Hong Kong in the 1991 LegCo election. At that time, she got 44,894 votes and this paved the way for her future electoral victory. During the 1995 LegCo election, Chan defeated Mak Hoi-wah of the DP. Since then, Chan has become the DAB's strongest candidate in direct election. The strength of Chan was her hard work and familiarity with district issues. In fact, during the 1998 LegCo election, Chan debated with the DP candidates over various livelihood issues, such as public housing and environment.³⁴

The rivalry between the DAB and the DP in Kowloon East was fierce. In the 1995 LegCo election, Mak labelled Chan as a "Communist Party cadre"—an accusation that added fuel to the already competitive election. Mak obtained 23,201 votes whereas Chan acquired 25,922 votes. Although Mak was defeated, he succeeded in penetrating into the Wong Tai Sin area where the pro-China forces were traditionally very strong. In the 1998 LegCo election, Szeto Wah emphasized the importance of conducting door-to-door campaigns and his assistants also campaigned hard in the DAB's stronghold in Wong Tai Sin. The result in the 1998 LegCo election showed that the DAB still maintained considerable support in Kowloon East. Chan succeeded in getting 109,296 votes, whereas the DP obtained 145,986 votes. In other words, the DAB obtained 41.8 percent of the total votes in Kowloon East and the DP 55.8 percent. Arguably, the votes in support of Chan appeared to be wasted in the sense that only one DAB candidate (Chan herself) was elected. In any case, Kowloon East can be viewed as a geographical constituency in which the DAB and the DP must be able to get their candidate(s) elected; the crux of the problem is whether the future electoral boundary would affect their bases of support at the grass-roots level.

It is noteworthy that an independent candidate, Harriet Fok, participated in the 1998 LegCo election. She was a former member of the Urban Council and was determined to demonstrate to the voters that there was another women candidate working for them. Fok's decision to participate in the election seemed to indicate that she wanted to compete with Chan Yuen-han. Although Fok got

34. See a campaign leaflet of Chan, published on 18 May 1998.

6,339 votes and was defeated, she would have a chance of being elected as a district-level politician to either the District Board or the Urban Council.

4. Kowloon West

There were five candidate lists in Kowloon West: (1) the DP led by Lau Chin-shek and James To Kun-sun; (2) the DAB led by Tsang Yok-shing; (3) the ADPL led by Frederick Fung; (4) the LP led by Ringo Chiang Sai-cheong; and, (5) an independent candidate named Helen Chung Yee-fong (see Table 3.4). The defeat of Frederick Fung was a surprise to most observers and pollsters, who anticipated that Tsang Yok-shing would be defeated. The victory of Lau and To was by no means surprising, given the charismatic appeal of Lau to voters and To's hard work at the LegCo. Chiang's defeat was expected because he had joined the LP just several months before the election. That the LP wanted to get more candidates joining the party before the 1998 LegCo election was a sign of its determination to expand grassroots support. Helen Chung was a

TABLE 3.4 ELECTORAL RESULTS IN KOWLOON WEST IN THE 1998 LEGCO'S DIRECT ELECTION

Political Party Candidate	No. of votes gained	No. of seats gained	Campaign Expenditures (in HK\$)
DP Lau Chin-shek* James To Kun-sun* Eric Wong Chung-ki	113,079	2	1,090,053
DAB Tsang Yok-sing* Ip Kwok-chung Wen Choy-bon	44,632	1	1,127,577
ADPL Frederick Fun Kin-kee Bruce Liu Sing-lee Tam Kwok-kui	39,534	0	536,018
LP Ringo Chiang Sai-cheong Chan No-yue Edward Li King-wah	5,854	0	527,833
Helen Chung Yee-fong	2,302	0	419,926

Note: * Candidates who were elected in the election.

Source: Same as Table 3.2

District Board member and a former DAB member. Her decision to participate in the election was an attempt to compete with Tsang Yok-shing and to enhance her popularity. Although Chung was defeated, she appeared to win the support of many women voters.

Tsang's victory over Fung was attributable to two major factors. First, with the increase in the size of the geographical constituency in Kowloon West from 1995 to 1998, the ADPL's base of support was undermined. The ADPL was traditionally a political group whose strength was confined to the Shumshuipo district. Also, parts of the Hunghom district—a stronghold of the DAB—were integrated into Kowloon West in 1998, thus making it difficult for the ADPL to secure a seat in the election.

Second, due to the lack of manpower and financial resources, Fung found it difficult to conduct a door-to-door campaign in the entire constituency. On the contrary, Tsang's DAB could mobilize labour unions, pro-Beijing groups and neighbourhood associations to get as many votes as possible. As a matter of fact, Tsang's party list spent HK\$1,127,577 on his campaign, whereas Fung only spent HK\$536,018. Clearly, the ADPL's campaign expenditure was no match for the DAB. Although a higher amount of campaign expenditure could not guarantee electoral success, as mentioned earlier, the DAB could utilize its financial resources to mobilize helpers and voters easily on the election day. Given that Fung lost by a margin of 5,098 votes (2.5 percent of the total votes in Kowloon West), it appeared that the DAB's manpower and financial resources contributed a lot to Tsang's victory. It is noteworthy that before the 1998 LegCo election, the DP's Central Committee made a strategic decision with regard to the ranking of party candidates in Kowloon West. During the DP's general meeting, party members voted for a party list led by James To and followed by Lau Chin-shek. However, the Central Committee later did not adopt the resolution of the general meeting because it considered Lau's popularity as an advantage of the entire party list in Kowloon West. As a result, Lau was ranked as the first candidate in the party list and it seemed that the DP's strategic decision succeeded in getting both To and Lau elected.

5. New Territories East

There were seven candidate lists running in New Territories East: (1) the DP led by Andrew Cheng Kar-fu; (2) the Frontier led by Emily Lau and Cyd Ho; (3) the DAB led by Lau Kong-wah; (4) the LP led by Allen Lee Peng-fei; (5) the Citizens Party led by Mo-

zart Lui Yat-ming; (6) independent candidate Andrew Wong Wang-fat; and, (7) Brian Kan Ping-chee (see Table 3.5). While the victories of the DP (Andrew Cheng) and the Frontier (Emily Lau and Cyd Ho) were expected, it was unclear who would capture the remaining two directly elected seats. As a result, Allen Lee was defeated whereas his opponents - Lau Kong-wah and Andrew Wong - were elected.

Allen Lee's defeat was ascribable to three main factors. First, the LP encountered mass defection in the Shatin and Sai Kung districts in 1994, and thus its political base was severely undermined. Some of the former LP members decided to join the DAB or campaign for Lee's opponents. Compounding the LP's internal dissension were the health problems of Lee, who appeared to be unable

TABLE 3.5 ELECTORAL RESULTS IN NEW TERRITORIES EAST IN THE 1998 LEGCO'S DIRECT ELECTION

Political Party Candidate	No. of votes gained	No. of seats gained	Campaign Expenditures (in HK\$)
DP	84,629	1	1,461,137
Andrew Cheng Kar-fu*			
Wong Sing-chi			
Lam Wing-yin			
Ho Suk-ping			
Frontier	101,811	2	770,692
Emily Lau Wai-hing*			
Cyd Ho Sau-lan*			
DAB	56,731	1	1,443,659
Lau Kong-wah*			
Cheung Hon-chung			
Chan Ping			
Wan Yuet-kau			
Wong Mo-tai			
LP	33,858	0	1,719,509
Allen Lee Peng-fei			
Wong Yiu-chee			
Cheng Chee-kwok			
Citizens Party	2,382	0	281,898
Mozart Lui Yat-ming			
Andrew Wong Wang-fat*	44,386	1	1,501,848
Brian Kan Ping-chee	6,637	0	226,984

Note: * Candidates who were elected in the election.

Source: Same as Table 3.2

to campaign vigorously. Second, although Lee had been directly elected in the 1995 LegCo election, the geographical constituency in Tai Po in 1995 was different from that in New Territories East in 1998. While Tai Po had plenty of district leaders in support of Lee in 1995, New Territories East was much larger in size, and thereby amplified the devastating result of LP's mass defection. It was so difficult for Lee to acquire support in New Territories East that one of his former helpers said Lee's difficulties were a product of his party's mismanagement.³⁵ Third, although the LP spent the most amongst all the lists (HK\$1,719,509), its campaign helpers tended to be politically inexperienced and immature. Young helpers were mobilized to help the party campaign, but they distributed campaign leaflets cursorily near the polling stations without realizing that those people who received the leaflets had already voted.³⁶

The electoral competition in New Territories East brought about new styles of campaign strategies. For example, Andrew Cheng of the DP appealed to families to split their vote in the following way: (1) the fathers and daughters should vote for the DP; while, (2) the mothers and sons should vote for the Frontier.³⁷ Obviously, Cheng wanted to get as much support as possible while at the same time avoiding the overwhelming majority of voters to support Emily Lau. But Cheng's campaign strategy was severely criticized by Lau. Interestingly, Mozart Lui of the Citizens Party severely attacked the DP and the Frontier, trying to distinguish himself from other pro-democracy parties. His remarks and criticisms in election forums aroused the anger of both Andrew Cheng and Emily Lau, who had to appeal to Lui for unity within the pro-democracy camp. Brian Kan did not attend any election forums on the grounds that they were "useless." But he succeeded in acquiring 6,637 votes—a result attributable to the support from the rural consultative body, the Heung Yee Kuk.

Andrew Wong's victory over Allen Lee showed that independent candidates could challenge any party candidates in the PR system. Wong's strength lied with his independent and talented image, although he was severely criticized by other candidates for joining the provisional legislature—a body that he had criticized before his decision to participate in it. His opponents also questioned whether

35. Interview with a former helper of the LP on 24 May 1998. She turned to support Lau Kong-wah of the DAB in the 1998 LegCo election.

36. Our observations in some polling stations on 24 May 1998. This was the same phenomenon in the 1994 District Board election.

37. See a campaign leaflet of the DP led by Cheng, 15 May 1998.

Wong had the political ambition of becoming LegCo President, and he replied that it would be the choice of LegCo members. Allen Lee also criticized Wong for forgetting the financial support given to him by the LP in the past. However, all these criticisms levelled at Wong did not really affect his chance of electoral victory.

Lau Kong-wah's decision to join the DAB several months before the election provoked a lot of criticisms from other party candidates. In various election forums, the DP and the Frontier severely criticized Lau as an "opportunist." Sometimes Lau was forced to be defensive in election forums, spending most of his time to discuss his election platforms. In fact, it was reported that some DAB members in the New Territories were unhappy about Lau's sudden participation in the party, for this would deprive their chance of becoming LegCo members.³⁸ Above all, some DAB members believed that the party's Central Committee should give them more opportunities to expand their political base. Although there was underlying dissatisfaction with Lau, the DAB members appeared to emphasize solidarity in public and avoided generating an image of party disunity.

6. New Territories West

There were eleven candidate lists in New Territories West: (1) the DP led by Lee Wing-tat and Albert Ho Chun-yan; (2) the DAB led by Tam Yiu-chung; (3) the Frontier led by Lee Cheuk-yan; (4) the LP led by Paul Chan Sing-kong; (5) the One Two Three Alliance led by Lawrence Yum Sin-ling; (6) the New Territories Alliance (NTA) led by Lam Wai-keung; (7) the Neighbourhood Workers' Service Centre led by Leung Yiu-chung alone; (8) the ADPL led by Yim Tin-sang; (9) the Marxist-oriented Pioneer led by Lam Chi-leung; (10) independent David Yeung Fuk-kwong; and, (11) independent Ting Hin-wah (see Table 3.6). The election result was that the DP gained two seats, the DAB one, the Frontier one, and independent Leung Yiu-chung managed to be re-elected (see Table 3.6). With the exception of Yim Tin-sang who could get as many votes as the Heung Yee Kuk, none of the defeated candidates could constitute a threat to the DP, DAB, Frontier and Leung Yiu-chung. A number of candidates were keen to test their own strength and remind voters of their hard work at the district level, such as Ting Hin-wah, Yum Sin-ling and David Yeung. The LP fielded Paul Chan whose popularity was so weak that his party per-

38. *Ming Pao*, 18 February 1998, p. A9.

TABLE 3.6 ELECTORAL RESULTS IN NEW TERRITORIES WEST IN THE 1998 LEGCO'S DIRECT ELECTION

Political Party Candidate	No. of votes gained	No. of seats gained	Campaign Expenditures (in HK\$)
DP	147,098	2	1,859,318
Lee Wing-tat*			
Albert Ho Chun-yan*			
Zachary Wong Wai-yin			
Josephine Chan Shu-ying			
DAB	72,587	1	1,264,974
Tam Yiu-chung*			
Leung Che-cheung			
Chau Chuen-heung			
Chan Wan-sang			
Hui Chiu-fai			
New Territories Alliance	25,905	0	2,220,572
Lam Wai-keung			
Tai Kuen			
Chow Ping-tim			
Carmen Chan Ka-mun			
Tso Shiu-wai			
Frontier	46,696	1	1,029,446
Lee Cheuk-yan*			
Ip Kwok-fun			
LP	3,138	0	899,999
Paul Chan Sing-kong			
Liu Kwong-sang			
Wong Kwok-keung			
123 Democratic Alliance	3,050	0	799,513
Lawrence Yum Sin-ling			
Christopher Chu Cho-yan			
Mak Ip-shing			
Shung Kin-fai			
NWSC	38,627	1	296,116
Leung Yiu-chung*			
ADPL	19,500	0	402,516
Yim Tin-sang			
Pioneer	968	0	41,068
Lam Chi-leung			
Ting Yin-wah	11,176	0	374,737
David Yeung Fuk-kwong	6,428	0	465,946

Note: * Candidates who were elected in the election.

Source: Same as Table 3.2

formed very poorly in the constituency. One interesting candidate was Lam Chi-leung. Although Lam got the fewest votes amongst all the eleven lists, his socialist orientation distinguished him from

other candidates and his major target of criticisms in election forums appeared to be Tam Yiu-chung of the DAB.

While the victory of two DP members was expected due to their hard work in the geographical constituency, Tam's victory was by no means an easy one. Tam was defeated by Li Wah-ming of the DP in Kowloon Southeast in the 1995 LegCo election. In 1997, the DAB strategically prepared to field Tam in the New Territories West in order to help him secure a seat, given that his party member Chan Yuen-han decided to run in the direct election in Kowloon East rather than in the functional constituency election. However, Tam's support was eroded by the determination of the NTA - a group from Heung Yee Kuk, which is a rural consultative body composed of indigenous peoples in the New Territories. The NTA did not perform well in the 1998 LegCo election, partly because it competed with the DAB for similar sources of support (elderly people, villagers, rural leaders and those people who were more "patriotic") and partly because some HYK supporters could not vote in a number of polling stations which were flooded with water.³⁹ Tam was elected to LegCo mainly due to the mobilization ability of the DAB to garner sufficient support from voters.⁴⁰

It must be noted that Lee Cheuk-yan of the Frontier was re-elected, although he could not persuade Leung Yiu-chung to join his party ticket. Interestingly, if Leung joined Lee to compete in the same constituency, both would need far more votes in order to be both elected to the LegCo (see Table 3.7). As seen from Table 3.7, if Leung co-operated with Lee to run as one party list, only one of them would be re-elected and this scenario would give one seat to the NTA. Neither could Leung or Lee separately get 20 percent of the total votes in New Territories West. However, the votes obtained separately by Leung and Lee just helped them manage to be elected as the fifth and fourth successful candidates respectively. That Leung and Lee did not co-operate to run in the election as a party ticket had the unintended consequence of becoming beneficial to both of them under the list system. The inability of Leung

39. Some villagers had to climb over sandbags to vote at the polling station in Yuen Long. See *South China Morning Post*, 25 May 1998, p. 1. Several days before the election on May 24, some voters complained that the location of polling stations was too far away from their homes. For such complaints, see *Ming Pao*, 22 May 1998, p. A7.

40. For a study of how the DAB mobilized voters in previous elections, see Lo Shiu-hing, "Political Parties in a Democratizing Polity: The Role of the 'Pro-China' Democratic Alliance for the Betterment of Hong Kong," *Asian Journal of Political Science*, vol. 4, no. 1 (June 1996), pp. 98-129.

TABLE 3.7 HYPOTHETICAL SCENARIO OF THE ELECTORAL RESULTS IF LEUNG YIU-CHUNG CO-OPERATED WITH LEE CHEUK-YAN

Political Party	Votes gained	Seats distributed according to quota	Remainder votes	Seats distributed according to remainder votes
DP	147,098	1	72,063	1
DAB	72,587		72,587	1
NTA	25,905		25,905	1
Frontier	85,325	1	10,290	
LP	3,138		3,138	
123 Democratic Alliance	3,050		3,050	
ADPL	19,500		19,500	
Pioneer	968		968	
Ting Yin-wah	11,176		11,176	
David Yeung Fuk-Kwong	6,428		6,428	

Note: The quota for capturing one seat was 75,035.

and Lee to run together - a phenomenon which had originally looked as if either one of them (most probably Leung whose popularity appeared to be weaker than Lee) would be defeated - turned out not to be a political liability but a surprising victory to the two. In the final analysis, although Leung used a relatively small amount of campaign expenditures, he managed to be re-elected - again an indication that a higher amount of campaign funds cannot guarantee electoral victory.

IV. AN ANALYSIS OF THE COMPETITION IN FUNCTIONAL CONSTITUENCIES AND THE ELECTION COMMITTEE

1. Functional Constituencies

The voter turnout in the functional constituency election in 1998 was 63.5 percent, a figure much higher than that in 1995. The number of voters in the education constituency and health service constituency was 40,862 and 14,338, respectively—figures much higher than other constituencies (see Table 4.1). The constituency composed of the Urban Council had only 47 voters. Because of the large variation in the number of voters, an analysis of the voter turnout in different functional constituencies may not be very meaningful. For example, although the Urban Council constituency had 100 percent of the voter turnout, the number of voters was very small. In contrast, while the education constituency had 66.79 per-

TABLE 4.1 THE VOTER TURNOUT AND NUMBER OF VOTERS IN FUNCTIONAL CONSTITUENCIES

Functional Constituency	No. of registered electors who did vote	Voter turnout (%)	Voter turnout in 1995 LegCo election
Urban Council	47	100	Automatically elected
Regional Council	50	100	100
Agriculture and fisheries	156	94.55	Did not exist
Insurance	185	95.85	Did not exist
Transport	131	95.62	Did not exist
Education	40,862	66.79	57.42
Legal	2,320	65.56	69.98
Accountancy	5,826	59.02	58.84
Medical	4,056	59.95	53.39
Health services	14,338	52.21	45.55
Engineering	3,807	71.55	64.84
Labour	339	93.91	91.6
Real estate & construction	300	85.23	Automatically elected
Industrial (second)	291	82.44	Did not exist
Financial services	309	80.89	68.92
Sports, performing arts, culture and publication	846	77.83	Did not exist
Import and export	1,456	67.56	36.32
Information technology	2,494	80.19	Did not exist
	77,813	63.5	50

Source: Same as Table 3.2

cent of the voter turnout, its number of voters was the greatest amongst all the functional constituencies.

There were not any surprising results in functional constituency elections. Most of the incumbents were re-elected except for Ngai Shiu-kit, who was defeated by a new candidate named Lui Ming-wah in the industrial constituency (Table 4.2). Some other incumbents were also challenged by new candidates. For example, incumbent Cheung Man-kwong of the DP got 34,864 votes and was re-elected (Table 4.2). But he was challenged by a new candidate, Li Sze-yuen, whose campaign manager was reportedly a member of the DAB. Li's electoral participation meant that the pro-China forces might try to make Cheung not easy to win the election. Leong Chi-hung, an incumbent in the medical functional constituency, was re-elected with 2,759 votes, but he was challenged by Chan Ki-tak who severely criticized the former for ignoring the interest of the constituency. Although Chan was defeated, he got

TABLE 4.2 THE RESULTS IN THE FUNCTIONAL CONSTITUENCY ELECTION

Functional Constituency	Candidates	No. of votes gained
Urban Council	Ronnie Wong Man-chiu	20
	Ambrose Cheung Wing-sum*	26
	Mok Ying-fan	0
Regional Council	Ann Chiang Lai-wan	24
	Tang Siu-tong (HKPA)*	25
	Ngan Kam-chuen	0
Heung Yee Kuk	Lau Wong-fat (LP)*	Automatically elected
Agriculture and fisheries	Lawrence Lee Hay-yue	43
	Wong Yung Kan (DAB)*	81
Insurance	Bernard Charnwut Chan*	94
	Alex Wong Po-hang	0
	Steven Lau Hon-keung	0
	Chan Yim-kwong	83
Transport	Yuen Mo	36
	Miriam Lau Kin-yee (LP)*	82
Education	Li Sze-yuen	5,319
	Cheung Man-kwong (DP)*	34,864
Legal	Sylvia Siu Wing-yee	394
	Margaret Ng Ngoi-yee*	1,741
	Francis Chong Wing-charn	138
Accountancy	Peter Chan Po-fun	609
	Edward Chow Kwong-fai	1,302
	Eric Li Ka-cheung*	3,556
Medical	Leong Che-hung*	2,759
	Chan Ki-tak	1,172
Health services	Michael Ho Mun-ka (DP)*	11,420
	Peter Chua Sek-chon	2,472
Engineering	John Luk Wang-kwong	491
	Peter Wong King-keung	1,112
	Raymond Ho Chung-tai*	2,036
Architectural, surveying and planning	Edward Ho Sing-tin (LP)*	Automatically elected
Labour	Chan Wing-chan (Federation of Trade Unions)*	212
	Chan Yun-che	99
	Ng Yat-wah	49
	Ng Yat-wah	212
	Lee Kai-ming (Confederation of Trade Unions)*	204
	Chan Kwok-keung*	
Social welfare	Law Chi-kwong (DP)*	Automatically elected
Real estate & construction	Ronald Arculli (LP)*	206
	Jimmy Tse Lai-leung	92
Tourism	Howard Young (LP)*	Automatically elected

TABLE 4.2 (CONTINUED)

Functional Constituency	Candidates	No. of votes gained
Commercial (first)	James Tien Pei-chun (LP)*	Automatically elected
Commercial (second)	Philip Wong Yu-hong*	Automatically elected
Industrial (first)	Kenneth Ting Woo-shou (LP)*	Automatically elected
Industrial (second)	Lui Ming-wah*	186
	Ngai Shiu-kit	107
Finance	David Li Kwok-po*	Automatically elected
Financial services	Syed B A S Bokhary	17
	Chim Pui-chung*	125
	Fung Chi-kin	117
	Henry Wu King-cheong	47
Sports, performing arts, culture and publication	Timothy Fok Tsun-ting*	561
	Wu Chi-wai	258
Import & export	Hui Cheung-ching (HKPA)*	Automatically elected
Textiles & garment	Sophie Lau Yau-fun (LP)*	Automatically elected
Wholesale and retail	Selina Chow Liang Shuk-yee (LP)*	945
	Dominic Chan Choi-hei	202
	Wong Siu-yee	276
Information technology	Sin Chung-kai (DP)*	1,543
	Edward Yung Kai-ning	456
	Ringo Chan Kei-fu	423

Note: In July 1998, Chim Pui-chung was sentenced to three years' imprisonment for forging share-transfer documents. A by-election was later held and Fung Chi-kin was elected to LegCo.

* Candidates who were elected in the election.

Source: Same as Table 3.2

1,172 votes—an indication that there were a considerable number of voters dissatisfied with Leong's past performance.

It is noteworthy that functional constituencies that had a larger number of votes appeared to favour pro-democracy candidates. In smaller constituencies like the Urban Council (UrbCo) and Regional Council (RegCo), pro-democracy candidates did not even participate in these elections. In the UrbCo constituency, Ambrose Cheung Wing-sum defeated Ronnie Wong Man-chiu, although the latter was supported by some pro-democracy members of the UrbCo. In the RegCo constituency, Ann Chiang Lai-wan was narrowly defeated by Tang Siu-tong by only one vote. Chiang later appealed to the court for a review of the legality of the election result. The court ruled that there should be a re-election which, however, again returned Tang Siu-tong to the LegCo. Other rela-

tively small constituencies—agricultural and fisheries, insurance, and transport—pro-democracy forces did not field any candidates at all. In larger constituencies like education, health services, information and technology, DP members were elected. Sin Chung-kai, a LegCo member from 1995-1997, adopted a campaign strategy in direct election, knocking the doors of voters' homes. He also used his website to appeal for the support of voters. Sin's success showed that the pro-democracy candidates knew how to campaign effectively in those functional constituencies where the number of voters was relatively large. Although DP member Wu Chi-wai was a political unknown to many voters, he managed to obtain 258 votes and trailed closely behind Timothy Fok Tsun-ting, the son of the famous tycoon Henry Fok Ying-tung. One pro-democracy incumbent who was not a member of the DP—Margaret Ng Ngoi-yee—was re-elected although she was challenged by two candidates.

2. Election Committee

The Election Committee comprised 800 people who elected 10 LegCo members. In Table 4.3, Rita Fan got most votes amongst 25 candidates. Fan's easy victory was attributable to her prestige as the President of the provisional legislature. Also, it was rumoured that the NCNA tried to lobby some business people who were members of the Election Committee to vote for Fan.⁴¹ In any case, the 800-member Election Committee appeared to be dominated by pro-China elite, just like the 400-member Selection Committee,

TABLE 4.3 RESULTS OF THE ELECTION THROUGH THE ELECTION COMMITTEE

Elected Candidates	No. of votes gained
Rita Fan Hsu Lai-tai	628
Ng Leung-sing	539
Ng Ching-fai	530
Ambrose Lau Hon-chuen (HKPA)	504
David Chu Yu-lin (HKPA)	469
Ma Fung-kwok	466
Yeung Yiu-chung (DAB)	441
Chan Kam-lam (DAB)	432
Choy So-yuk (HKPA)	397
Ho Sai-chu (LP)	386

Source: Same as Table 3.2

41. *Ming Pao*, 23 February 1998, p. A7.

which had elected the Chief Executive in December 1996. According to the former NCNA official Wang Wenfang, the Selection Committee had 150 members of the Chinese Communist Party (CCP) and 50 others who were their "friends."⁴² Judging from the election result of the Election Committee, which returned most of the pro-China candidates to the 1998 LegCo, it was also likely that at least some of the members of the Election Committee might be CCP members.

As a matter of fact, the Election Committee was so dominated by the pro-China forces that none of the pro-democracy camp was elected. Law Cheung-kiok, for example, was defeated and he merely got 259 votes. On the contrary, other pro-China candidates were narrowly defeated, such as independent Peggy Lam Pei Yujia and Charles Yeung Chun-kam of the HKPA. However, the pro-China forces themselves tended to have internal rivalry. It had been predicted that Thomas Pang Cheung-wai and Cheung Hok-ming of the DAB would be elected, but this prediction turned out to be inaccurate. It appeared that the pro-China members of the Election Committee voted in a way that did not really favour either the DAB or the HKPA. Choy So-yuk challenged Martin Lee of the DP in the geographical constituency of Hong Kong Island East in the 1995 LegCo election, but she was defeated. In the 1998 LegCo election, she abandoned running in direct election and decided to participate in the election through the Election Committee. Although she was elected, her colleague in the HKPA—Charles Yeung—was defeated. Since both the DAB and HKPA had members defeated, it was clear that members of the Election Committee voted in a way that was unpredictable. It was also rumoured that a minority of pro-democracy and liberal-minded members of the Election Committee strategically voted for those candidates whose chances of being elected were very slim. By doing so, the liberal members of the Election Committee wanted to see some pro-China candidates defeated in the election. It is not known whether this strategy could work, but the result seemed to show that pro-China candidates were not sure winners. Having said that, the Election Committee as a whole was unfavourable to liberal-minded candidates.

Finally, the voting method used in the 1998 Election Committee was the block vote system, which required all of the 800 mem-

42. Wang's speech delivered to a group of civil servants at the Civil Service Training Institute on 13 July 1998.

bers of the Election Committee to choose ten candidates on their ballots. This voting method was different from that in the 1995 Election Committee, which also had returned 10 candidates to LegCo. Critics argued in 1998 that the block vote system was unfavourable to the pro-democracy candidates, for the 1995 system, which had adopted the transferable vote system tended to give more political space to the liberals. It was actually difficult to prove whether the block vote system was more unfavourable to the liberal democrats than the transferable vote system. However, it looked as if the adoption of the block vote system, which decided the winners on the basis of a simple majority vote, was contradictory to the adoption of the PR system in direct election. The transferable vote system tended to give smaller groups or parties a chance to be elected—a sort of PR system instead of the simple majority vote. In any case, the way in which the EAC decided the voting method in the election through the Election Committee was not politically convincing.

3. The Prospects of Functional Constituencies in LegCo Elections

The Basic Law of the HKSAR clearly defines the pace of democratization for the LegCo in terms of directly elected seats (please refer to Table 2.1 in Chapter 2). There will be 30 seats each returning from functional constituencies and direct election, while the seats selected from the Election Committee will fade away in the third term of the HKSAR's LegCo (2005-2009). In 2007, the HKSAR government and politicians will consider the possibility of further democratizing the LegCo—a change which will require the approval of a two-thirds majority in LegCo, the Chief Executive, and the Standing Committee of the PRC's National People's Congress.⁴³ Although there are voices from the democratic camp to increase the pace of democratization in LegCo by revising the Basic Law, there seems to be a consensus among the conservative forces in the HKSAR and the central government in Beijing that the Basic Law should not be amended just a few years of the sovereignty

43. See The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, Hong Kong: The Consultative Committee for the Basic Law of the Hong Kong Special Administrative Region of the people's Republic of China, April 1990, Annex III, P. 60.

transfer.⁴⁴ Hence, functional constituencies will remain influential in LegCo elections in the foreseeable future.

Nevertheless, there will probably be a gradual process of democratization of LegCo's composition after 2007. The pace of democratization will be contingent upon the stance of conservative forces in the legislature as they have already entrenched their vested interests in the political arena. Before 1995, very few members of the business elite had participated in LegCo's direct election because they were traditionally protected by functional constituency elections. As more seats in LegCo are becoming directly elected, the business elite has little choice but is forced by the political circumstances to participate in direct elections. Still, functional constituencies are dominated by business people, while the democrats are grasping most directly elected seats in the LegCo. As long as the business elite remains influential in functional constituency elections, they will become a stumbling block for further democratization of the LegCo.

In fact, the LP is slowly adapting to partial democratization in the HKSAR. Allen Lee, the former LP leader, ran in the 1998 LegCo direct election. His defeat testified to the difficulties of the business elite in penetrating deep into the grassroots level, thus cultivating popular support. Lee's successor James Tien Pei-chun claimed that the LP would definitely participate in direct elections. Clearly, the LP realizes the necessity of increasing its popularity through grasping votes in direct elections. In the event that the LP and the business elite can develop a electoral culture of participation, they will probably become more supportive of a faster pace of democratization in the long run.

V. DEMOCRATIZATION, ELECTIONS AND PARTY DEVELOPMENT: CONCLUSION AND IMPLICATIONS

Prior to the 1998 LegCo election, some analysts observed that the development of political parties had been constrained by the partially democratized electoral system, which was in turn shaped

44. According to Louis Cha, the Basic Law should not be and cannot be amended after such a short period of handover. He indicated that the mini-constitution clearly defines every important issue in the HKSAR, and that revising it would generate a confidence problem with regard to the "One Country, Two Systems," which would in turn affect the PRC's attempt to reunify Taiwan. See *Ming Pao*, 19 May 1999, C4.

partly by China's attitude toward the territory's democratization, and partly by the Basic Law.⁴⁵ Lau Siu-kai wrote:

The constitutional set-up and the socio-political context of Hong Kong do leave room for the emergence of political groups which look like "cadre parties", that is, small organizations of political activists which do not have mass bases.⁴⁶

In other words, according to Lau, if political parties underwent a developmental process, they would at best be "cadre" types, which means that party membership is small, mass participation low and leadership relatively weak.

This conclusion aims at reassessing and exploring the relationship between democratization, electoral system and party development—a linkage that has so far been understudied by political observers in Hong Kong. We will focus on the electoral system of LegCo, although other levels or tiers of elections cannot be ignored. However, due to the relative significance of LegCo in the HK-SAR's political development, we will concentrate on the legislature's electoral system and its relationship with democratization and party development.

First, different electoral systems tend to have a bearing on party development, which can be broadly defined as elements essential to the growth of parties like discipline, campaign, organization and functions.⁴⁷ We agree that under the indirect election method of LegCo, which was introduced in 1985, party development was relatively very weak. Specifically, political parties were almost non-existent, not to mention party discipline, campaign, organizations and functions.

45. See Lau Siu-kai, *Public Attitude toward Political Parties in Hong Kong*, Hong Kong: Hong Kong Institute of Asia-Pacific Studies, The Chinese University of Hong Kong, 1992. Also see Louie Kin-shuen, "Consolidation and Marginalization: Development of Political Parties in Hong Kong," paper presented at "International Conference on Political Development in Taiwan and Hong Kong," held by Centre of Asian Studies, The University of Hong Kong and Institute for National Policy Research, Taipei, Taiwan, on February 8 and 9, 1996.

46. Lau, *Public Attitude toward Political Parties in Hong Kong*, *supra* note 45, p. 3.

47. For a similar approach to party development, see David M. Farrell, "Ireland: Centralization, Professionalization and Competitive Pressures," in Richard S. Katz and Peter Mair, eds., *How Parties Organize: Change and Adaptation in Party Organizations in Western Democracies*, London: Sage, 1994, pp. 216-241.

Second, under the “double seats” constituency introduced to LegCo in the 1991 election,⁴⁸ party development made considerable progress as party discipline emerged; the campaign emphasized the popular appeal of “political stars”; organizations tended to be immature; and, party functions focused on checking the power of the executive branch of government.

Third, under the “single seat” constituency in LegCo’s direct elections held in 1995,⁴⁹ party development entered a consolidation stage in which party discipline became tighter; the campaign emphasized the importance of grassroots work; organizations became more complicated in terms of the relationship between party centre and local branches; and, party functions tended to focus on the formation of temporary coalitions that sought to implement party platforms.

Fourth, since July 1, 1997, the adoption of the PR system in the LegCo election has been entrenching rather than “marginalizing” political parties in Hong Kong’s polity.⁵⁰ Such entrenchment is taking the form of much tighter party discipline than before, more party-focused campaigns, more efforts at organizational management, and a stronger tendency of political parties to check and balance their own opponents.

Fifth, we conclude that the case of Hong Kong shows that once there are elections held in a developing political system, they stimulate party development which in turn contributes to democratization. The continuation of democratization means that elections have to be held and that party development is strengthened further. In other words, there is a triangular relationship between elections, party development and democratization.

48. In 1991, the LegCo adopted a “double seats’ constituency and simple plurality system. “Double seats” constituency means that “the two candidates who receive the highest number of votes are elected, regardless of whether they achieve an absolute majority of the total votes cast.” Martin Harrop and William L. Miller, *Elections and Voters: A Comparative Introduction*, London: Macmillan, 1987, p. 46.

49. In the 1995 LegCo direct election, each geographical constituency had one candidate elected to the legislature and the candidate who got a simple majority of the total votes would be elected.

50. Louie Kin-shuen, “Consolidation and Marginalization: Development of Political Parties in Hong Kong,” For the operation of the 1998 LegCo’s list system, or PR system, see *Electoral Affairs Commission: Guidelines on Election-related Activities in respect of the 1998 Legislative Council Elections*, Hong Kong: Government Printer, 28 February 1998, Section 58, p. 26.

1. From the Underdevelopment Stage (Pre-1985 Period) to the Development Stage (1985-1991)

As mentioned in Chapter One, it was not until 1985 that indirect elections were introduced to the LegCo. Prior to 1985, political parties did not really exist in Hong Kong. There were merely political groups or groupings articulating their interests. From 1985 to 1990, however, LegCo members who were indirectly elected (i.e., elected by functional groups such as commerce, education, social work, industry, medicine and legal profession) tended to form loose coalitions or alliances to check the government's power. As a result, "legislative cliques" emerged and they were labelled by the mass media as the "democratic faction" (for example, Martin Lee and Szeto Wah) and pro-government appointees.⁵¹ All of these "legislative cliques" did not constitute political parties, and thus party development was basically stagnant.

The development stage of political parties in Hong Kong was stimulated by an alteration of the electoral system of LegCo, especially after the introduction of the 1991 Legco direct elections. The "double seats" constituency provided an impetus for party development in several ways (see Table 5.1).

First, party discipline emerged as the United Democrats of Hong Kong (UDHK), which was a merger of liberal-minded groupings,⁵² fielded candidates to compete with the pro-China forces in

TABLE 5.1 CHARACTERISTICS OF PARTIES IN THE DEVELOPMENT STAGE, 1985-1991

Party Development		Features
1. Discipline	(a)	Newly emerging phenomenon
2. Campaign	(a)	Use of "political stars"
	(b)	Relatively weak linkages with interest groups
	(c)	Mass mobilization rather than group-based mobilization
3. Organization	(a)	Unclear relationship between party centre and local branches
4. Function	(a)	Checks and balances against the executive

51. For discussion of "legislative cliques," see Lo Shiu-hing, "Legislative Cliques, Political Parties, Political Groupings and Electoral System", in Joseph Y. S. Cheng and Sonny S. H. Lo, eds., *From Colony to SAR: Hong Kong's Challenges Ahead*, Hong Kong: The Chinese University of Hong Kong, 1995, pp. 51-70.

52. For the UDHK's development from the merger of political groups, see Yu Wing-yat, "Organizational Adaptation of Political Parties: A Case Study of Hong Kong

the 1991 LegCo direct elections. Due to the “anti-Communist syndrome” of Hong Kong voters, the UDHK swept to victory and captured 11 out of 18 directly elected seats in LegCo.⁵³ The UDHK also displayed its discipline by fielding two candidates to compete in most of the “double seats” constituencies, while making compromises with “like-minded” candidates like Emily Lau and Andrew Wong in order to avoid mutual competition.⁵⁴

Second, the most prominent hallmark of the 1991 LegCo direct elections was the popular appeal of “political stars” such as Martin Lee and Szeto Wah. Mostly because of the ability of “political stars” to attract votes and mobilize grassroots support, the UDHK achieved a resounding success, whereas the “pro-China” candidates like Gary Cheng and Chan Yuen-han were defeated. Hence, some appointed and politically conservative members of LegCo later complained about the “coat-tail” effects of the 1991 LegCo direct election, and they contended that the electoral system should be changed to reflect the proportionality of political forces in society. Although these conservative-minded LegCo members did not go so far as to advocate a “fully proportional representation” system,⁵⁵ they put forward an electoral system using “multi-seat single-vote” constituencies, which would actually be the Single Non Transferable Vote (SNTV) system.⁵⁶ In any case, the search for a “suitable” electoral system for LegCo could be attributable to the overwhelming victory of the UDHK that could effectively made use of its “political stars” in election campaigns.

Democratic Party,” unpublished M.Phil Thesis, Division of Social Science, Hong Kong University of Science and Technology, 1996, p. 25-28.

53. Leung Sai-wing, “The ‘China Factor’ in the 1991 Legislative Council Election: The June 4th Incident and Anti-Communist China Syndrome,” in Lau Siu-kai and Louie Kin-sheun, eds., *Hong Kong Tried Democracy: The 1994 Elections in Hong Kong*, Hong Kong: Hong Kong Institute of Asia-Pacific Studies, The Chinese University of Hong Kong, 1993, pp. 187-236.

54. For detailed election results and analyses, see Rowena Kwok, Joan Leung and Ian Scott, eds., *Votes without Power: The Hong Kong Legislative Council Elections 1991*.

55. For a recent provocative discussion on the alternative of implementing a “fully proportional representation,” see Burt L. Monroe, “Fully Proportional Representation,” *American Political Science Review*, Vol. 89, No. 4 (December 1995), pp. 925-940.

56. Although their names are different, the logic of “multi-seat single-vote” constituency and that of the SNTV system is the same in the sense that in a constituency, more than one candidate is elected but voters can only vote for one candidate. See Arend Lijphart, Rafael Lopez Pintor and Yasunori Sone, “The Limited Vote and the Single Nontransferable Vote: Lessons from the Japanese and Spanish Examples,” in Bernard Grofman and Arend Lijphart, eds., *Electoral Law and Their Political Consequences*, New York: Agathon Press, 1986, pp. 170-182.

In point of fact, the shift from a LegCo with appointees and indirectly elected seats to an assembly with directly elected members changed the campaign style of political parties. The UDHK realized that, in order to capture the directly elected seats, it had to utilize the image and prestige of experienced "political stars" to assist those relatively inexperienced party candidates in "double seats" constituencies. As mentioned before in Chapter One, Martin Lee had to help Man Sai-Cheong, who eventually emigrated to Canada and did not participate in the 1995 LegCo direct election, to capture a seat in the Island East constituency in the 1991 LegCo election. Similarly, Szeto Wah's popularity in facilitating the victory of his partner, Li Wah-ming, in the 1991 LegCo election could not be swept under the carpet. Thus, "double seats" constituency did have the effect of forcing the UDHK to stress "political stars" in its campaign, a feature that demonstrated the impact of electoral system upon the campaign style of a newly emerging political party.

It is noteworthy that the UDHK's campaign style did not heavily rely on the assistance of like-minded interests or pressure groups. The major reason was that the UDHK had not yet forged a close relationship with independent trade unions and other pro-democracy interest groups during the early period of its formation. As a result, the UDHK's mobilization ability did not focus on interest groups, but on the masses who tended to be attracted by the "charisma" of political stars.

Third, although the new electoral system stimulated party development, party organization remained relatively immature. The UDHK did not have a clear-cut relationship between the party's Central Committee and local branches, albeit they had already existed one year before the 1991 LegCo direct elections. Specifically, there were overlapping members between the party centre—the Central Committee—and localities. As the UDHK was a "cadre" party, such overlapping membership was inevitable. However, members of this "cadre" party were very active in organizational management, participating in various party committees to develop grassroots work and to communicate regularly with ordinary citizens at different constituencies.

Fourth, as more directly elected representatives penetrated the Legco, political parties began to function as a check and balance against the executive power. The demand of the UDHK to have its leaders appointed by Governor Wilson to the ExCo immediately after the 1991 elections proved that they perceived themselves as possessing a popular mandate. Although Governor Wilson de-

clined to do so for fear of alienating China, the increasing importance of political parties could be seen in the 1991 LegCo direct elections, which marked a watershed in Hong Kong's political development.

2. Consolidation Stage (1991-1997)

Since 1991, particularly after the 1994 District Board elections and the 1995 LegCo direct elections, both of which were held under the system of "single seat" constituencies, party development in Hong Kong entered a "consolidated" stage.⁵⁷ The development of political parties in Hong Kong flourished in the 1994 District Board elections, when the pro-China DAB succeeded in capturing some seats and directly challenging the DP. The consolidation of political parties could be seen in four indicators we have discussed above, namely party discipline, campaign, organization and party function (see Table 5.2).

TABLE 5.2 CHARACTERISTICS OF PARTIES IN CONSOLIDATION STAGE, 1991-1997

Party Development		Features
1. Discipline	(a)	Tighter than before
2. Campaign	(a)	Grassroots level work emphasized
	(b)	Stronger relationship between parties and interest groups
	(c)	Both mass and group mobilization
3. Organization	(a)	Clearer division of labour between party centre and local branches
4. Function	(a)	Party coalitions appeared to implement party platform and influence government policies

First, party discipline was tightened by party centres. Candidates who ran in elections had to be accepted and ratified by party centres; otherwise those members who competed in elections without the party's nomination would be penalized. For instance, the former DAB member Helen Chung Yee-fong was forced to withdraw from the party due to her participation in the 1995 Urban Council and LegCo direct election without the approval from the DAB's centre.⁵⁸ On the other hand, political parties introduced

57. Louie Kin-sheun, "Consolidation and Marginalization: Development of Political Parties in Hong Kong," *supra* note 50, pp. 11-16.

58. *Express Daily*, 18 January 1995.

new rules to check members' discipline. The DP injected a new internal checking procedure, which had been non-existent in 1991, requiring District Board members to submit progress reports to the party centre.⁵⁹ Moreover, any "misbehaved" members would be penalized by the party. For example, the former DP's District Board member, Gordon Fong, who was criticized by residents in his constituency for being absent in the councillor's office, was reprimanded by the party's discipline committee.⁶⁰ Overall, political parties tended to tighten their discipline.

Second, the campaign strategy was not only dependent on "political stars," but it also relied on grassroots-level work in preparation for electoral competition. Voters' choices were attracted by the image of "political stars" and influenced by the performance of candidates at the grassroots level.⁶¹ Moreover, in order to mobilize local groups, like MACs and neighbourhood associations, in elections, political parties constructed networks with them through grassroots activities, such as organizing tours, visits and social gatherings.

The relationship between political parties and interest groups became much stronger in the 1994 and 1995 elections than in the 1991 LegCo elections. During the 1994 District Board elections, both the UDHK and DAB mobilized various district groups and trade unions to acquire the support of voters. While the UDHK tended to get help from independent unions, the DAB obtained the assistance of the pro-China Federation of Trade Unions. This mobilization phenomenon became apparent in the ensuing 1995 LegCo direct elections. On the other hand, political parties, including the DP, DAB, LP and other small groups, mobilized the support of interest groups affiliated with various functional constituencies. The DAB, for example, solicited the support of the Bank of China to back up Fung Chi-kin, who was later surprisingly defeated by the

59. *United Daily News*, 17 April 1995.

60. Due to the complaints from the Shatin district residents, the DP's Central Discipline Committee investigated the performance of Gordon Fong. However, during the investigation, Fong withdrew from the party. *Express Daily*, 21 March 1995.

61. For a discussion of the candidates' performance in the grassroots work, see Milan T. W. Sun and Timothy K. Y. Wong, "Priming and Platform: Analysis of the 1995 Legislative Council Election," paper presented at the conference on "The 1995 Legislative Council Election" held by Hong Kong Institute of Asia-Pacific Studies, The Chinese University of Hong Kong from May 17 to 18, 1996. Also see Milan T. W. Sun and Timothy K. Y. Wong, *Platform and Election: A Regression Analysis of the 1994 District Board Election in Hong Kong* (Title in Chinese), Hong Kong: Hong Kong Institute of Asia-Pacific Studies, The Chinese University of Hong Kong, 1995.

DP member Andrew Cheng Kar-fu. In short, the campaign style developed into not only a grassroots-oriented approach but also a group-based mobilization strategy.

Third, organizationally speaking, the division of labour between party centre and local branches became more apparent than ever before. The party centre was responsible for formulating territory-based policies. Generally, there was overlapping membership between the party's central executive committee and Legco members. In this way, LegCo members could communicate with the party centre easily. On the other hand, the function of local branches became far more constituency-based than before. Localities conducted various grassroots works and handled district issues in order to canvass citizens' support.

Fourth, party coalition emerged as a new strategy adopted by political parties to enforce or implement party platform. After the 1995 LegCo election, the DP announced a new concept of "consensus politics" within the LegCo. Martin Lee declared that the DP was willing to cooperate with other parties and groups in the legislature. Indeed, at the beginning of the newly elected LegCo sessions, the DP cooperated with other parties and independent LegCo members on the issue of freezing the government proposal of requiring citizens to pay for some public services.⁶² Although there were a number of political parties in the legislature, they could exert some degree of political pressure on the government to modify or revise its policies. Party coalitions inside the LegCo were temporary and fluid, a pattern that was unpredictable and tended to be a result of short-term common interests.

3. Entrenchment Stage (Since July 1, 1997)

Under the PR (list) system in the 1998 LegCo's direct elections, party development has been consolidated further.⁶³ The prediction that there would be a "marginalization" of political parties turned out to be inaccurate. As a matter of fact, some political parties have been adapting successfully to the PR system. Such adaptation can be seen in party organization (see Table 5.3).

First, party discipline has been consolidated further. Under the PR (close ballot) system, the political necessity of forming groups

62. *Express Daily*, 26 October 1995. Also see *Express Daily*, 3 November 1995.

63. For a discussion of the PR system, see P. J. Taylor and R. J. Johnston, *Geography of Elections*, Middlesex: Penguin, 1979, p. 461. Also see Harrop and Miller, *Elections and Voters: A Comparative Introduction*, pp. 45-47.

TABLE 5.3 CHARACTERISTICS OF POLITICAL PARTIES IN THE ENTRENCHMENT STAGE SINCE JULY 1, 1997

Party Characteristics		Closed List PR System
1. Discipline	(a)	Consolidated
2. Campaign	(a)	Party-focused
	(b)	Party image and platform are important
	(c)	Utilize the media
3. Organization	(a)	More centralized
	(b)	Number of local branches tends to be reduced
4. Function	(a)	Check the government
	(b)	Balance the power of political parties and groups

or alliances and ranking candidates in consecutive order is destined as a tool of the party centre to control the discipline of members. On the one hand, party members who violate discipline are not endorsed by the party centre. The withdrawal of Jennifer Chow from the LP and the internal dispute in the DP about the ranking of Albert Chan Wai-yip were good examples that the PR system produced arguments concerning the ranking of candidates.⁶⁴ In the previous "single seat" constituency, candidates who were not approved by the party centre could still run in elections as independents by withdrawing from the party (if party discipline were tight). However, under the PR system in the 1998 LegCo election, candidates were tempted to form alliances or groups in the election to maximize their chances of being elected. Lau Kong-wah's strategic decision to join the DAB was a case in point.

It was rather difficult for independents to form alliances with other parties or groups. Although independents like Andrew Wong and Leung Yiu-chung managed to be re-elected to LegCo, their votes tended to trail behind other candidates in the geographical constituencies of New Territories East and New Territories West, respectively. Therefore, while the PR system produced internal dispute about the ranking of candidates and consolidated party discipline, it did not exclude the possibility of independents being elected. Yet, independents appear to fight a hard battle in order to win the election. Of course, other factors could affect the chance of independent candidates to be elected, including: (1) the strength of

64. In 1999, Chan plans to participate in the 2000 LegCo election by dividing the Democratic Party candidates into a number of lists in the New Territories West.

other candidates; and, (2) the size of the geographical constituencies.

Second, campaigns under the PR system tended to be more party-focused than ever before. Because the PR system requires a list of party candidates in consecutive order, the opinion and/or policy differences between candidates in the same list tends to be deemphasized whereas the party's overall platform and image tends to be stressed. To put it simply, candidates in the party list must avoid giving voters an impression of internal split or differences, thus coming up with a consensus on selling their party or group platform.⁶⁵ Albert Chan's final decision of not disputing his ranking in the list and a similar move by John Tse Wing-ling who asked his supporters not to argue with the DP's Central Committee regarding his lower ranking in the New Territories East were good examples illustrating the push toward a consensus.

If party image and platform were significant under the PR system, political parties must attempt to sell their policies through the mass media. In the 1998 LegCo election, various political parties used their website to campaign for voters' support—a new campaign strategy. One obstacle to the party campaign in the 1998 LegCo election was that political parties were not allowed to advertise their platforms in television. However, they advertised their platforms and positions in newspapers—a campaign strategy that was common in 1998 and would be even more popular in the future.

Third, political parties appeared to become more centralized and the party centre tended to exert more control over local branches' operation. As local branches were constituency-based, the decrease in the number of constituencies under the PR system led to a corresponding decrease in the number of localities within a political party. During the late transition period, the Liberal Party reduced the number of local branches to prepare for a possible change in the post-1997 electoral system.⁶⁶ At the same time, the DP studied the feasibility of reducing the number of local branches from eighteen to five.⁶⁷ Due to the inevitable reduction in the

65. In Taiwan, party image is very crucial under the SNTV system. For details of the SNTV system used in Taiwan and Japan, see Gary W. Cox and Emerson Niou, "Seat Bonuses under the Single Transferable Vote System: Evidence from Japan and Taiwan," *Comparative Politics*, Vol. 26, No. 2 (January 1994), pp. 221-236. Also see Eugene L. Wolfe, "Japanese Electoral and Political Reform: Role of the Young Turks," *Asian Survey*, Vol. 35, No. 7 (July 1995), pp. 424-438.

66. *Ming Pao*, 2 November 1995.

67. *Hong Kong Economic Journal*, 12 February 1996.

number of local branches, party centres tended to exercise their control over localities more easily than ever before. Owing to the increasing influence of party centres on localities' affairs, conflicts and disputes between them were bound to increase. The conflict between the party centre and a local branch could be seen in the case of the LP (Jennifer Chow's party branch) and in the reported dissatisfaction of some DAB members in the New Territories with Lau Kong-wah's participation in the party.

Fourth, under the PR system, the function of political parties is to not only check the government and enforce their platform but also balance power among themselves. While the DP's power is bound to be curbed inside the LegCo, pro-China parties must at the same time restrain any radical move initiated by the remaining democrats in the legislature. That a bill initiated by pro-democracy LegCo members, like Leung Yiu-chung in July 1998, was blocked by other LegCo members elected from functional constituencies was a case in point.

We argue that the evolving electoral system in Hong Kong has contributed a lot to the development and consolidation of political parties. Although the LP was utterly defeated in direct election, its leaders have also realized the political necessity of participating in direct election in the future. There seems to be a learning process for those candidates and parties defeated in the 1998 LegCo election. On the other hand, those candidates and parties (DP, DAB and Frontier) successful in the 1998 LegCo election are working hard in order to obtain the support of voters in the forthcoming election in 2000. Therefore, the determination of political parties to have their members elected or re-elected to the legislature has become a crucial factor propelling the process of democratization. Democratization entails not only a learning experience of politicians who are defeated in elections, but it also embraces the constant efforts of successful candidates in election to attract the support of the electorate.

Arguably, Hong Kong's environmental constraints make the formation and development of "cadre" parties inevitable. One cannot jump to the conclusion that such "cadre" parties are relatively useless and weak in Hong Kong's polity. In reality, as we have illustrated in this Conclusion, "cadre" parties have been playing a significant role in checking and balancing the power of the executive branch, while at the same time reaching compromises with other groups to force the administration to modify its policies. Hence, although political parties in the HKSAR are "cadre" types, they

represent not only a progressive force in pluralizing Hong Kong politics but also an indispensable element in democratization.

4. Limitations on the Political Significance of Elections in the HKSAR

It can be argued that while the 1998 LegCo election was significant in producing an unprecedented voter turnout, debunking the myth of political apathy of Hongkongers and returning a political opposition to the legislature, it also highlighted some severe constraints on the HKSAR's democratization. Arguably, election may be window-dressing in the HKSAR as it can show the world and many people that the "one country, two systems" is working successfully; the central government in Beijing is giving a relatively free hand to the HKSAR government to handle its internal affairs. An election also serves as a legitimizing function to the HKSAR government, which encounters a legislature more assertive than the provisional legislature. The crux of the elections in the HKSAR is that they are not producing any political party in power, but selecting a political opposition whose voice is bound to be relatively weak in the conservative-dominated legislature. Objectively speaking, it is the constitutional constraints that impose limitations on the political significance of elections in the HKSAR.

First and foremost, the Basic Law stipulates that private member's bills in the LegCo need the approval of: (1) the LegCo President; and, (2) the support of LegCo members elected from (a) functional constituencies and from (b) those directly elected in the geographical constituencies and those 10 seats returned from the 800-member Election Committee. The implications are obvious. The personal style of LegCo's President is determining whether the democrats are allowed to put forward private member's bills that force the HKSAR government to initiate and change policies. In July 1998, LegCo President Rita Fan's decision to allow Leung Yiu-chung to initiate a bill concerning the addition of a one-day holiday sparked the government's objection, for the government interpreted Leung's bill as having impact on government expenditures. According to the Basic Law, LegCo members cannot initiate bills concerning government expenditures without the approval of the Chief Executive.

Above all, the Basic Law imposes a structural constraint on the democrats by incorporating the directly elected members into a group with 10 members elected from the Election Committee. Given the fact that the majority of the 10 legislators elected from

the Election Committee are either pro-government or pro-China, there must be a deadlock, if not confrontation, between the democrats and some of these 10 legislators. Since there are 14 democrats elected to LegCo through direct election, they are narrowly outnumbered in the 30-member group composed of directly elected members and the 10 legislators from the Election Committee. In July 1998, Andrew Cheng of the DP put forward a bill concerning the direct election of all LegCo members by 2000, but it was blocked by the legislators who were elected from the Election Committee and functional constituencies. Cheng's motion lost in two divisions—losing one vote (15 to 14) among the 20 directly elected members plus 10 Election Committee-chosen legislators, and was overwhelmingly defeated (5 in favour and 20 against) in the second division representing functional constituencies.⁶⁸

Second, any veto power exercised by the business elite in functional constituencies will continue to check the influence of the democrats, whose mandate from voters is a far cry from those LegCo members elected unopposed to the legislature through functional constituencies. Most importantly, the business elite in the functional constituencies will probably try to resist the democratic pressure for a wholly directly-elected legislature, for this has already been seen as an end to the business influence in the HKSAR polity. Although the seven political parties, including the business-oriented LP, the DP and the DAB reached an agreement in 1998 that recommended the HKSAR government to take measures to tackle the economic problems, it is unlikely that they can cooperate easily in terms of political issues, especially democratization. For the democrats, the results of the 1998 LegCo election vindicate the support of the populace for further democratization. As the business elite can no longer argue that Hong Kong people are politically apathetic, they will resort to pressure upon the PRC officials and the Chief Executive of the HKSAR to postpone democratization. As long as there are very few business elite who are determined to participate in direct election and to win public support, they will tend to remain a conservative force opposing democratization in the years to come.

An alternative to deal with the political impasse would be the establishment of an upper chamber like the British House of Lords and the enlargement of the existing legislature as a lower house. The increase in the number of directly elected seats will fulfil the

68. *Hong Kong Standard*, 16 July 1998, p. 4.

wishes of the democrats in democratizing the legislature, whereas the upper house can be composed of functional constituencies and some elected elements in order to protect business interests. Indeed, a lot of problems would remain to be solved; for instance, whether the upper house, if created, would constitute a conservative chamber vetoing the power of the democrats in the lower house, just like the current situation in which the business elite in functional constituencies can easily veto the influence of the democrats who are grouped with the 10 legislators elected from the Election Committee. Another problem would be the question of how to hammer out solutions between the upper house and the lower house in case of a political deadlock. Related to this would be the great difficulties of revising the Basic Law before 2007, particularly in view of the fact that both Tung Chee-hwa and PRC officials declared after the 1998 LegCo election that the Basic Law had determined the pace of political reform in the HKSAR from now to 2007.⁶⁹ In any case, it will probably be wise for the HKSAR government to consider holding a referendum on the future direction of LegCo, for the increase in mass participation and the desire of the elected democrats to push forward an entirely directly-elected legislature will generate a democratizing force with which the HKSAR government will have to be reckoned.

Arguably, the existing LegCo is similar to having an upper house and a lower house. Those LegCo members elected from functional constituencies have a veto power over bills from the other division composed of directly elected members and Election Committee-chosen legislators. Therefore, the current structure of LegCo is a mirror of the bicameral legislature in England, except for the fact that the HKSAR's mini-upper house tends to be quite powerful in checking the influence of democrats. If so, an alternative of reforming the legislature is just to increase the number of LegCo members in the two divisions. However, such increase cannot easily upset the present arrangement in which the division composed of functional constituencies can check the power or influence of the other division. Otherwise, an upset in the balance of power would probably trigger a serious political impasse between the pro-democracy reformers and the pro-business conservatives.

The third structural constraint on the existing semi-democratized polity in the HKSAR is the political preponderance of the bureaucracy. Under colonial rule, it was the bureaucracy that en-

69. *Wen Hui Pao*, 27 May 1998, p. 1.

joyed and monopolized the powers of policy making and policy implementation. The Chinese bureaucrats in Hong Kong under British rule tended to rely on their British superiors to make policy decisions, especially when Hong Kong encountered crises such as the 1966-67 riots, the confidence crisis in 1982 and the turbulent transition period from September 1984 to June 1997. Although the 1998 LegCo election returned the democrats to the legislature, they at best constitute a check on the politically preponderant bureaucracy. Senior civil servants remain the most powerful actors in policy making in cooperation with ExCo members, some of whom were the political supporters voting for Tung during the race for the Chief Executive in December 1996.⁷⁰ The absence of a ministerial system in the HKSAR, which is unlike Britain where the ruling Labour Party forms a government with cabinet ministers, means that elected LegCo members have to lobby the senior bureaucrats and the Chief Executive who both have the final say on the direction of various policy issues.

However, in terms of executive-legislative relations, the senior civil servants sometimes adopt a perhaps evasive, if not necessarily hard-line, attitude toward the LegCo. On July 30, 1998, the government suddenly postponed the second reading debate on the Holidays (Amendment) Bill when it knew that LegCo President Rita Fan did not rule the bill, which was raised by legislator Leung Yiu-chun, as having any charging effect.⁷¹ Before the debate, the government asked Fan to reconsider her ruling because it considered Leung's amendment had an impact on government expenditures. The Secretary for Education and Manpower Wong Wing-ping said that the amended bill which attempted to reinstate the Sino-Japanese War Victory Day would cost "0.2 percent of salary expenditure" or HK\$600 million in total.⁷² However, Fan decided not to change her ruling. The government claimed that delaying the debate was "to allow [it] time to study very carefully the legal arguments and implications behind the reaffirmation of the ruling by the LegCo President."⁷³ The move was condemned by LegCo members who believed that the executive branch did not respect the leg-

70. For a recent work on the changes and continuities of the civil service, see Ahmed Shafiqul Huque, Grace O. M. Lee, and Anthony B. L. Cheung, *The Civil Service in Hong Kong: Continuity and Change*, Hong Kong: Hong Kong University Press, 1998.

71. *Hong Kong Standard*, 30 July 1998, p. 1. *South China Morning Post*, 30 July 1998, p. 6.

72. *South China Morning Post*, 17 July 1998.

73. *Hong Kong Standard*, 30 July 1998, p. 1.

islature. Clearly, sometimes the executive branch's resistant attitude has constrained the power of the legislature.

Fourth, PRC officials are satisfied with the election outcome and high voter turnout, but they are at the same time concerned about the long-term political implications on the HKSAR.⁷⁴ Although the DAB managed to grasp 5 of the 20 directly elected seats, it was the beneficiary of the proportional representation system, and the PRC must still be concerned about the political consequences of having a wholly directly-elected LegCo in the HKSAR. Having an entirely directly-elected LegCo will tilt the executive-legislative relations in favour of the LegCo—a scenario already raised by the Secretary for Constitutional Affairs Michael Suen and no doubt unacceptable to PRC officials. Just imagine a scenario in which all of the 60 LegCo seats were directly elected. Using the proportion of votes obtained by political parties in the 1998 LegCo election, the democrats would constitute a majority in the legislature, with the DAB acting as a minority. The business interests would be wiped out—a scenario unacceptable to PRC officials who are keen to form a coalition with the pro-Beijing business elite. Indeed, in the event that the PRC's political atmosphere becomes more liberalized and democratized, democratization in the HKSAR may have more room for manoeuvre. But in the short run, it is very unlikely that the PRC would be prepared to accept a wholly directly-elected legislature where the DAB and other pro-China business parties would be relegated to a political minority.

The 1998 LegCo election had important bearing on the HKSAR's political development. It debunked the myth of political "apathy" of Hong Kong people, marked the triumph of the democrats in direct elections, and gave a sense of psychological comfort to PRC officials who saw the DAB grasping five directly elected seats. In terms of future democratization of LegCo, the pro-China forces would have at least some seats in a fully directly elected legislature. Nonetheless, the 1998 LegCo election has hidden the fact that the HKSAR polity remains partially democratized, that the democrats remain a minority opposition whose influence is no match for those legislators returned from the functional constituencies, that the senior civil service remains the most powerful actor in policy making, that the democrats could become a frustrated polit-

74. Beijing officials were reportedly happy about the high voter turnout in the 1998 LegCo election. *Hong Kong Economic Journal*, 27 May 1998, p. 37. One mainland Chinese academic wrote that the proportional representation system was "suitable" for the HKSAR, see *Ming Pao*, 26 May 1998, p. C5.

ical opposition because of the built-in structural constraints imposed on them by the Basic Law, and that deadlock between the democrats and their political foes is inevitable. As long as the China factor remains a constraint on the HKSAR's democratization, the 1998 LegCo election represented merely the first step in the long road of democratization in Hong Kong.

5. Conclusion and Implications

The 1998 LegCo election in the HKSAR can be viewed as a reaffirmation of democratization initiated in a top-down way by the British administrators from the mid-1980s to June 1997. Although the provisional legislature was established by the PRC to roll back the Patten reforms, the PRC and the HKSAR governments realized the importance of holding elections for the LegCo. Elections could serve to legitimize the HKSAR government and the PRC's concept of "one country, two systems."

Above all, elections have "provoked" the development and expansion of political parties, which become more aggressive than ever before to penetrate to the grassroots level.⁷⁵ Political parties in the HKSAR may be viewed as "cadre" type, but they all work extremely hard and active at the local level in order to win votes from the potential electorate and to work as an intermediary between the government and ordinary citizens. Political parties are playing a crucial stabilizing function in the polity of the HKSAR, articulating the interests of their constituents and lobbying the HKSAR government.

In turn, the HKSAR government has been forced to be more responsive to demands made by political parties. The executive branch needs to make some concessions to LegCo members, political parties and public opinion. Overall, the HKSAR's polity has become more transparent, responsive, accountable and democratic than ever before. One can argue that once the door of democratization has been opened ajar, it is opened further and can no longer be closed. Even the pro-China DAB has participated in direct election aggressively in a bid to gain its mandate from the public.⁷⁶ The

75. The word "provoked" is borrowed from Guillermo O'Donnell and Philippe C. Schmitter, who argue that "a founding election" in democratizing regime has the impact of "provoking parties." See Guillermo O'Donnell and Philippe C. Schmitter *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies*, Baltimore: Johns Hopkins University Press, 1986, p. 57.

76. On July 20, 1997, the DAB chair Tsang Yok-shing was interviewed on a radio programme "A Storm in a Teacup" at the Metro Station. Tsang implicitly criticized

DAB has already been assimilated to the electoral culture in the HKSAR, realizing the political necessity of conducting grassroots work and winning the votes of the people. In terms of democratization, not only does the pro-democracy forces contribute to its further development, but the pro-China DAB has already sustained the momentum of having fair elections. The HKSAR does not reach the stage of “democratic consolidation” in which democracy is achieved, and the question is how to make democracy “survive.”⁷⁷ However, it is experiencing democratization—a process that cannot be interrupted but reaffirmed by the holding of elections. By participating in elections, politicians have reached a consensus on the “rules of the game” in the HKSAR’s democratization.⁷⁸

Hence, there is a cyclical relationship between democratization, election and party development. Once election opens up the possibility of party development, political parties become very aggressive and active in securing the votes from the masses. The grassroots activities of political parties show the benefits of election and democratization to the people of Hong Kong, who in turn appear to adopt a more favourable attitude toward democratic development than ever before. In other words, the growth of political parties entrenches the process of democratization, which in turn propels the further development of elections in the HKSAR. The case of Hong Kong shows that its political democratization is parallel to Taiwan, where elections in the late 1970s and the 1980s also provided a fertile soil for the expansion of opposition parties, and thereby sowed the seeds of democratization in the 1990s.⁷⁹

Tung Chee-hwa as lacking leadership and he even said that Governor Patten had developed the style of reacting to media criticisms. Tsang made an unprecedented move here to assess Governor Patten’s ruling style positively—a subtle change attributable to the former’s experience as an elected politician.

77. See Adrian Leftwich, “From Democratization to Democratic Consolidation,” in David Potter, David Goldblatt, Margaret Kiloh and Paul Lewis, eds., *Democratization*, Milton Keynes: The Open University, 1997, p. 524.

78. *Ibid.*, p. 527.

79. For Taiwan’s democratization, see Jaushieh Joseph Wu, *Taiwan’s Democratization* (Hong Kong: Oxford University Press, 1995). Also see Chu Yun-han, “Taiwan’s Unique Challenges,” in Larry Diamond and Marc F. Plattner, eds., *Democracy in East Asia*, Baltimore: Johns Hopkins University Press, 1998, pp. 133-146.

If so, the political development of the HKSAR is by no means so pessimistic than conventional wisdom assumed.⁸⁰ Democratization has already developed a momentum of its own. Elections have become a mechanism of developing political parties. The entire polity of the HKSAR is a gradually developing polity where the door of democratization cannot and will not be closed easily without high political costs to both the HKSAR government and the PRC. "One country, two systems" implies that the HKSAR has its unique electoral system, which is different from the Western democracies but which provides political space for the pro-democracy elite to compete with the pro-government forces in elections. Although the democratizing space is necessarily constrained mainly because of the China factor and partly due to the conservative political forces within the HKSAR, elections held for the LegCo are a testimony to the persistence of pluralistic politics in the HKSAR under the "one country, two systems" formula.

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